

FACTSHEET

TITLE: **CHANGE OF ZONE NO. 05085, FALLBROOK PLANNED UNIT DEVELOPMENT**, requested by NEBCO, Inc., on property generally located at Hwy 34 and Fallbrook Blvd.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 03/01/06
Administrative Action: 03/01/06

STAFF RECOMMENDATION: Conditional approval.


RECOMMENDATION: Conditional Approval (6-0: Krieser, Carroll, Sunderman, Esseks, Taylor and Carlson voting 'yes'; Strand and Larson absent).


ASSOCIATED REQUESTS: Annexation No. 05019 (06-30)

FINDINGS OF FACT:

1. This proposed Planned Unit Development was heard in conjunction with the associated Annexation No. 05019.
2. This proposal combines the existing Fallbrook use permit, special permit and preliminary plat into a Planned Unit Development.
3. The Planned Unit Development proposal consists of a change of zone from AG Agricultural District to R-3 Residential District PUD; from R-3 Residential District to R-3 Residential District PUD; from O-3 Office Park District to O-3 Office Park District PUD; from B-2 Planned Neighborhood Business District to B-2 Planned Neighborhood Business District PUD; and from R-3 Residential District to B-2 Planned Neighborhood Business District PUD, on property generally located at Highway 34 and Fallbrook Boulevard; for a Planned Unit Development District designation of said property; and for approval of a development plan which proposes modifications to the Zoning Ordinance, Land Subdivision Ordinance and City of Lincoln Design Standards to allow approximately 1,767 dwelling units and approximately 680,000 square feet of commercial uses on approximately 378 acres, more or less.
4. The staff recommendation of conditional approval is based upon the "Analysis" as set forth on p.5-6, concluding that the proposed PUD was an appropriate tool to deal with the many special design standards and the mix of uses in this New Urbanist development. The proposed PUD is in conformance with the Comprehensive Plan and the Zoning Ordinance.
5. The applicant's testimony is found on pp.12 and 13-14.
6. Testimony by Peter Katt on behalf of Prairie Homes, the developer of Highland View immediately to the west of this proposal, is found on p.12-13. He was not testifying in opposition but wanted to express the concern for access to the Highland View subdivision. The developer of Fallbrook stated that they would continue to work with Mr. Katt and his client.
7. There was no testimony in opposition.
8. On March 1, 2006, the Planning Commission agreed with the staff recommendation and voted 6-0 to recommend conditional approval, as set forth in the staff report dated February 15, 2006 (Larson and Strand absent).
9. On March 1, 2006, the Planning Commission also voted 6-0 to recommend approval of the associated Annexation No. 05019.

FACTSHEET PREPARED BY: Jean L. Walker

REVIEWED BY: 

REFERENCE NUMBER: FS\CC\2006\CZ.05085+ 

DATE: March 7, 2006

DATE: March 7, 2006

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for MARCH 1, 2006 PLANNING COMMISSION MEETING

PROJECT #: Annexation #05019
Change of Zone No.05085 Planned Unit Development

Note: This is a combined staff report for related items. This report contains a single background and analysis section for all items.

PROPOSAL: To annex approximately 41.7 acres. To combine the existing Fallbrook Use Permit, Special Permit and Preliminary Plat into a Planned Unit Development (PUD) for 1,767 dwelling units and 680,000 square feet of commercial. Change the zoning from AG, R-3, B-2, O-3 to R-3 PUD, B-2 PUD, and O-3 PUD.

LOCATION: Highway 34 and Fallbrook Blvd.

LAND AREA: Annexation #05109- Approximately 41.7 acres
Change of Zone #05085- Approximately 378 acres

CONCLUSION: The proposed annexation is within the future service limit line and is within Priority A of Tier One. All utilities are available to serve the area of annexation. This proposal is to combine an existing use permit, community unit plan and preliminary plat into a Planned Unit Development. A large portion of the area has been final platted and built. The proposed PUD will allow for greater flexibility in the future and will make amendments easier. The annexation and PUD are in conformance with the Comprehensive Plan and Zoning Ordinance.

RECOMMENDATION:

Change of Zone

Conditional Approval

Waivers:

1. Lot area	Approval
2. Lot width	Approval
3. Front, side and rear yard setbacks.	Approval
4. Parking requirements.	Approval
5. Secondary dwelling units on the same lot as the main dwelling unit.	Approval
6. Front yard setback for signs.	Approval
7. Cul-de-sac design.	Approval
8. Roadway platform approach to allow a maximum slope of 3%.	Approval
9. Sanitary Sewer depth greater than 15'.	Approval
10. Tangent length for streets.	Approval
11. Allow sewer and water mains on the same side of the street.	Approval
12. Pedestrian way easements.	Approval
13. Allow the transfer of sanitary sewage from one drainage area to another.	Approval
14. That lots front upon public streets or private roadways.	Approval
15. The requirement that where public streets are continuation of existing street, the existing street name shall be used to permit the street name of Fallbrook Blvd. west of N. 1 st St.	Approval
16. Sign regulations as identified in the notes	Approval

GENERAL INFORMATION:**LEGAL DESCRIPTION:** See attached**EXISTING ZONING:** R-3, Residential; O-3, Office Park; B-2, Planned Neighborhood Business**EXISTING LAND USE:** Residential and commercial**SURROUNDING LAND USE AND ZONING:**

North:	AG, Agriculture	Undeveloped
South:	R-3 & R-5 Residential	Single family and multi-family south of U.S. Highway 34
East:	AG, Agriculture	Acreage development
West:	AG, Agriculture	Undeveloped, Highland View preliminary plat for single family residential

HISTORY:

November 14, 2004 Use Permit #124A to waive internal side yard setbacks in the O-3 District was approved by City Council.

August 19, 2002 Special Permit #1808B to expand the boundary of the Community Unit Plan was approved by City Council.

June 25, 2001

Special Permit #1808A to amend the CUP was approved by City Council.

January 24, 2000

Use Permit #124, Special Permit #1808 Community Unit Plan and Preliminary Plat #99023 for Fallbrook was approved by the City Council.

COMPREHENSIVE PLAN SPECIFICATIONS:

Lincoln's future urban growth should generally occur in multiple directions around the existing city. Lincoln will continue to have managed and contiguous growth. (F-17)

Maximize the community's present infrastructure by encouraging a greater amount of commercial space per acre and more dwelling units per acre in new neighborhoods. (F-17)

Streams, trees, open space and other environmentally sensitive features should be preserved within new development as design standards allow. (F-18)

Many activities of daily living should occur within walking distance. Neighborhoods should include homes, stores, workplaces, schools, and places to recreate. Interconnected networks of streets, trails, and sidewalks should be designed to encourage walking and bicycling, reduce the number and length of automobile trips, conserve energy and for the convenience of the residents. (F-18)

The Land Use plan designates this site as urban residential and commercial. The area of annexation is within the future service limit. (F-23)

Future Service Limit: The land use plan also displays the future service limit for the City of Lincoln. Land inside this line represents the anticipated area to be provided with urban services within the planning period. (F-28)

Urban Growth Tiers- The area for annexation is shown in Tier One Priority A. (F-31)

Commerce Centers are defined as areas containing a mix of retail, office, services and residential uses, with some light manufacturing and warehousing in selected circumstances. Commerce Centers have been divided into three separate size categories. The three categories of Commerce Center are: Regional Centers, Community Centers and Neighborhood Centers. Fallbrook is identified as a Community Center. (F-40, 41)

Typically, new Community Centers will range from 300,000 to 500,000 square feet. Community centers are intended to be smaller in scale and intensity of uses than Regional Centers and serve a more targeted market and geographic area. Community Centers tend to be dominated by retail and service activities, although they can also serve as campuses for corporate office facilities and other mixed-use activities. (F-45)

Guiding principles for new neighborhoods include the following principles:

1. Encourage a mix of housing types, single family, townhomes, apartments, elderly housing all within one area;
2. Similar housing types face each other: single family faces single family, change to different use at rear of lot;
3. Parks and open space within walking distance of all residences;
4. Multi-family and elderly housing nearest to commercial area;
5. Pedestrian orientation; shorter block lengths, sidewalks on both sides of all roads;
6. Public uses (elementary schools, churches) as centers of neighborhood-shared facilities (city parks & school sites). (F-67)

UTILITIES: All utilities are available to serve this development.

TRAFFIC ANALYSIS:

Alvo Rd. and NW 12th St. are designated minor arterial in the 2025 Comprehensive Plan.

N.W. 12th St. has not been constructed south of Alvo Rd. The 2025 Comprehensive Plan, under proposed projects, identifies N.W. 12th St. as 4 lanes plus turn lanes from Highlands Blvd. to Alvo Rd. and Alvo Rd. as 4 lanes plus turn lanes from N.W. 12th St. to Arbor Rd. NW 12th St. is not proposed to be constructed with this application.

N. 1st St. is designated a principal arterial in the 2025 Comprehensive Plan. The 2025 Comprehensive Plan, under proposed projects, identifies N. 1st St. as 4 lanes plus turn lanes from US-34 to Alvo Rd.

These projects are not listed in the City's 2005-2011 Capital Improvement Program.

PUBLIC SERVICE:

The nearest fire station is Station 14 located at 5435 NW 1st St.

The nearest elementary school is Fredstrom located at N.W. 10th St. and W. Harvest Dr. There is a proposed middle school within this development.

ANALYSIS:

1. This request is to annex approximately 41.7 acres and for a change of zone from AG, R-3, O-3 and B-2 to a Planned Unit Development (PUD) for 1,767 residential units and 680,000 square feet of commercial space. The PUD will allow for greater flexibility in the overall development and require less amendments in the future.
2. The commercial area was previously approved for 680,000 square feet; 500,000 square feet office and 180,000 square feet retail. The proposed PUD does not change the allocated square footage. The 180,000 square feet of retail is shown within the Village Center.
3. The PUD allows a density of 1,767 dwelling units. The dwelling units are comprised of the following:

Single family/attached single family	696 du
Village Center lofts	60 du
Village Center Row-house	50 du
Multi-family	557 du
Unassigned	404 du
4. A substantial portion of the Fallbrook development has been final platted into buildable lots. (See attached site plan and aerial) The proposed site plan does not change the layout of areas that have a final plat.
5. The area of annexation is within the future service limit and is contiguous to the city limits. The uses designated within the annexation area are multi-family, school/recreation and the extension of Alvo Rd. to NW 12th St.
6. The area of annexation is designated as Tier 1, Priority "A" in the 2025 Comprehensive Plan. The Comprehensive Plan identifies Priority "A" of Tier 1 as areas designated for near term development generally contiguous to existing development and should be provided with basic infrastructure within 12 years of the adoption of the Plan.
7. The proposed uses for the annexation area are compatible with the adjacent land uses and in conformance with the 2025 Comprehensive Plan.
8. This PUD will allow angle parking on Fallbrook Blvd. between the two round-a-bouts; NW 6th St south of Blue Sage Blvd. and on NW 7th St. south of Blue Sage Blvd. The portion of the streets that allow angled parking will be vacated and changed to private streets. An application for the street vacation has been submitted and is scheduled for Public hearing at Planning Commission on March 15, 2006.

9. A portion of the PUD is designated Village Center. This area is proposed to be a mix of retail, dwellings above the first floor of a building containing another permitted use retail townhouses. The Village Center utilizes New Urbanism concepts such as, buildings located closer to the street with parking in the rear, smaller lots and mixed uses.
10. The proposed waivers are the same waivers that were previously granted through the Use Permit, Special Permit and Preliminary Plat.

CONDITIONS OF APPROVAL:

1. This approval permits 1,767 dwelling units, 680,000 square feet of commercial and variances to zoning ordinance, subdivision ordinance and design standards.
2. The City Council approves ANN #05019

General:

- 3 Final Plats will be approved by the Planning Director after:
 - 3.1 The applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable:
 - 3.1.1 Revise the site plan to show:
 - 3.1.1.1 Show the location of the proposed streets west of NW 12th Street within the Highland View development.
 - 3.1.1.2 Revise Block 2 to meet block length requirements.
 - 3.1.1.3 A PUD is not allowed over AG zoned land. Revise the boundary of the PUD to eliminate the AG area south of the Village Center or change the zoning on the AG area.
 - 3.1.1.4 Label the area west of Tallgrass Parkway that is outside of the limits of this PUD as "Next Phase Property."
 - 3.1.1.5 Change the use of Lot 1, Block 6 to School site/Park/YMCA. Add a note stating that final layout of Lot 1, Block 6 shall be done by administrative amendment.
 - 3.1.1.6 Identify the use of all outlots in a table format.
 - 3.1.1.7 Make revisions to the satisfaction of Public Works & Utilities per their memo of January 13, 2006.
 - 3.1.1.8 Make revisions per Public Works Watershed Management memo of January 23, 2006.
 - 3.1.1.9 Add utility easements as requested by the December 23, 2005 LES memo.

- 3.1.1.10 Show a bike trail on the south side of Alvo Rd. from NW 12th St. to NW 1st St.
- 3.1.1.11 Add the prefix "West" to Alvo Rd.
- 3.1.1.12 Change multi family units to 557 in the density table on Sheet 2.
- 3.1.1.13 Show NW 6th & NW 7th St. south of Blue Sage Blvd. as a private road. Show Fallbrook Blvd. from 175' east of the west round-about (Outlot M) to 50' west of the east round-about (Outlot I) as a private road.
- 3.1.1.14 Dimension the right-of-way on each side of the median on West Alvo Rd.
- 3.1.1.15 On Sheet 6 label the sign envelope at the northwest corner of Fallbrook Blvd. and N. 1st St. Delete the note "not part of this CUP" on the south side of Fallbrook Blvd.
- 3.1.1.16 On Sheet 7 correct the cross section of Fallbrook Blvd., NW 6th St. and NW 7th St.
- 3.1.1.17 On Sheet 7 show the angled parking on Fallbrook Blvd., NW 6th St. and NW 7th St.; use a symbol to identify the common walls within the townhouse area and change the title from "Town" to "Village".
- 3.1.1.18 On Sheet 7 identify the lot line between Lots 2 & 3.
- 3.1.1.19 Label all private streets.
- 3.1.1.20 List all waivers on Sheet 2.
- 3.1.1.21 In the first line of the PUD legal description add "a portion of", before Lot 10 I.T.
- 3.1.2.22 Revise the notes as follows:
Village Center:
 - a. Under permitted uses, revise bb to read, "Attached dwellings in buildings containing three units or more."
 - b. Revise the parking regulations to state that diagonal parking is only allowed on private streets.
 - c. In height and area regulations state that the setback for parking shall be 15' along Fallbrook Blvd.
 - d. In parking regulations specifically clarify what Section 27.67.030 (d) pertains to.
 - e. In height and area regulations clarify what Section 27.31.090 (e) pertains to.
 - f. In height and area regulations clarify what Section 27.31.050 and 27.71.115 pertain to.

Office Area

- a. Delete the note, "Front yards required on only one street frontage in case of double frontage lots."
- b. Add a note stating that internal side yard setbacks are 0'.

Residential Type 1

- a. Delete "existing" from single family.

Residential Type 2

- a. Delete the note, "Front yards required on only one street frontage in case of double frontage lots."

Residential Type 3

- a. Add the following; "Secondary dwelling units which are either detached or attached to a single family dwelling unit on the same lot are approved provided that they are: under the same ownership as the single family unit, have less than 800 square feet of floor area and have two or fewer bedrooms."

Residential Type 4

- a. Delete the note stating the minimum distance between lots shall be 15'.

Residential Type 5

- a. Delete the note, "Front yards required on only one street frontage in case of double frontage lots."

Multi-Family

- a. Add a note stating that vehicular access shall be relinquished to Alvo Rd.

- 3.2 The sidewalks, streets, drainage facilities, street lighting, landscape screens, street trees, temporary turnarounds and barricades, and street name signs have been completed or the subdivider has submitted a bond or an escrow of security agreement to guarantee their completion.

- 3.3 The subdivider has signed an agreement that binds the subdivider, its successors and assigns:

to complete the street paving of public streets, and temporary turnarounds and barricades located at the temporary dead-end of the streets shown on the final plat within two (2) years following the approval of the final plat.

to complete the paving of private roadway, and temporary turnarounds and barricades located at the temporary dead-end of the streets shown on the final plat within two (2) years following the approval of this final plat.

to complete the installation of sidewalks along both sides of streets as shown on the final plat within four (4) years following the approval of the final plat.

to complete the installation of sidewalks along N. 1st St. and West Alvo Rd. as shown on the final plat within two (2) years following the approval of this final plat.

to complete the public water distribution system to serve this plat within two (2) years following the approval of the final plat.

to complete the public wastewater collection system to serve this plat within two (2) years following the approval of the final plat.

to complete the enclosed public drainage facilities shown on the approved drainage study to serve this plat within two (2) years following the approval of the final plat.

to complete land preparation including storm water detention/retention facilities and open drainageway improvements to serve this plat prior to the installation of utilities and improvements but not more than two (2) years following the approval of the final plat

to complete the installation of public street lights along streets within this plat within two (2) years following the approval of the final plat.

to complete the installation of private street lights along streets within this plat within two (2) years following the approval of the final plat.

to complete the planting of the street trees along streets and private roadways within this plat within four (4) years following the approval of the final plat.

to complete the planting of the street trees along N. 1st St. and West Alvo Rd. as shown on the final plat within two (2) years following the approval of this final plat.

to complete the planting of the landscape screen within this plat within two (2) years following the approval of the final plat.

to complete the installation of the street name signs within two (2) years following the approval of the final plat.

to complete any other public or private improvement or facility required by Chapter 26.23 (Development Standards) of the Land Subdivision Ordinance in a timely manner which inadvertently may have been omitted from the above list of required improvements.

to maintain the outlots and private improvements on a permanent and continuous basis.

to maintain the plants in the medians and islands on a permanent and continuous basis.

to retain ownership of or the right of entry to the outlots in order to maintain the outlots and private improvements on a permanent and continuous basis and to maintain the plants in the medians and islands on a permanent and continuous basis. However, the subdivider may be relieved and discharged of this maintenance obligation upon creating, in writing, a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the private improvements have been satisfactorily installed and the documents

creating the association have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

to properly and continuously maintain and supervise the private facilities which have common use or benefit, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development, and that these are the responsibility of the land owner.

to continuously and regularly maintain the street trees along the private roadways and landscape screens.

to comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.

to submit to the Director of Public Works a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.

to submit to the lot buyers and home builders a copy of the soil analysis.

to protect the trees that are indicated to remain during construction and development.

to relinquish the right of direct vehicular access to N. 1st St., Alvo Rd. and Hwy 34 from lots abutting said streets.

General:

4. Before receiving building permits:

- 4.1 The permittee shall have submitted a revised and reproducible final plan and the plans are acceptable:
- 4.2 The construction plans shall comply with the approved plans.
- 4.3 Final Plats shall be approved by the City.

STANDARD CONDITIONS:

5. The following conditions are applicable to all requests:

- 5.1 Before occupying the dwelling units/buildings all development and construction shall have been completed in compliance with the approved plans.
- 5.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
- 5.3 The site plan accompanying this plan unit development shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.

- 5.4 This ordinance's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
- 5.5 The City Clerk shall file a copy of the ordinance approving the planned unit development and the letter of acceptance with the Register of Deeds. The Permittee shall pay the recording fee in advance.
6. The site plan as approved with this ordinance voids and supersedes all previously approved site plans and all ordinance approving previous permits.

Prepared by:

Tom Cajka
Planner

DATE: February 15, 2006

APPLICANT: Olsson Associates
1111 Lincoln Mall
Lincoln, NE 68508
(402) 474-6311

OWNER: NEBCO, Inc.
1815 Y St.
Lincoln, NE 68508
(402) 434-1212

CONTACT: Scott Osterhaus
Olsson Associates
1111 Lincoln Mall
Lincoln, NE 68508
(402) 458-5630

**ANNEXATION NO. 05019 and
CHANGE OF ZONE NO. 05085,
FALLBROOK PLANNED UNIT DEVELOPMENT**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

March 1, 2006\

Members present: Krieser, Carroll, Sunderman, Esseks, Taylor and Carlson; Strand and Larson absent.

Staff recommendation: Approval of the annexation and conditional approval of the planned unit development.

Ex Pate Communications: None.

These applications were removed from the Consent Agenda and had separate public hearing at the request of Peter Katt.

Proponents

1. Tim Mettenbrink, 1815 Y Street, Vice-President of Real Estate for **Nebco**, the developer of Fallbrook, presented the applications. He chose to defer his presentation until there are questions. This is a complicated application. It is one which they have worked with both Planning and Public Works staff for about the last nine months. It is a culmination of those conversations. Nebco is happy with the staff comments. Everyone has worked hard on this project and he thanked the staff.

2. Peter Katt appeared on behalf of **Prairie Homes**. He stated that he did not pull this item from the consent agenda to express opposition. Less than a year ago, Prairie Homes brought forward a project immediately west of this proposal called Highland View. Prairie Homes has had discussions with the Nebco interests from time to time during the period while they were working on Highland View, but they have not been involved recently in the discussions on the final package and the approval of this proposal which was released last Thursday. Prairie Homes has not had an opportunity to fully review this proposal; however, Katt is sure it is very complicated and very detailed and very well worked out with staff.

The issue and concern is that access to the Highland View properties and that development has always been problematic. The concern is that the only connection point that this proposal brings forward (and there is a section of the property that is excluded from the PUD) would connect to the two access points on NW 12th that would join the developments. That is the planning question – what is the plan? What is the timeline for other connections that will allow Highland View to be incorporated into the fabric of the City of Lincoln? Katt did not have any specific amendments because he has not had the opportunity to review all of the information and why the applicant is excluding part of the property they own now. He just wanted to let people know that there is that issue out there.

Esseks asked Katt to explain his major concern – do you need a connection to N.W. 12th? Katt recalled the challenges on access that Highland View had. It was finally resolved. The City Council granted a full movement interchange on Hwy 34, which must also be approved by the Nebraska Department of Roads. The Nebraska Department of Roads is not in agreement with the City's

recommendation and it is uncertain at this point what will happen with that particular access to the Highland View subdivision. In order for the Highland View development to move forward (which is in Tier I, Priority A), access and connection to the existing city street paved road network is important. This project gets us part way there. He does not know the timeline for the paving of Alvo, which will be covered in the annexation agreement. He is in the process of getting that information put together, but it would be helpful to Highland View to have connection points other than the one at N.W. 12th and Alvo.

Esseks inquired whether Katt is requesting a delay on the Fallbrook PUD. Katt stated that he does not think it should be delayed. He believes there will be adequate opportunity for public involvement and comment as this proposal moves forward to the City Council. The last thing he wants to do after they have spent nine months of effort on this, is to delay their process. They have important work to do. We need to get access in that area. If there is any way, it is important to improve additional access for Highland View, but he does not want to jeopardize the Fallbrook project.

Sunderman referred to the map and asked what access Katt was talking about, and whether there is other access that is not shown on the map. Katt pointed out the current Highland View access points at the map, consistent with the future city stub requirements stubbing into adjoining property. The difference is that part of the property owned by Nebco is not technically part of this PUD. Therefore, they are not required to show the connection points. The Highland View plat did not provide for any direct connections because there is an arterial street 1/4 mile to the west. That would be a later phase, so the access point would be south on N.W. 12th in order to access to Alvo Road. N.W. 12th is an existing right-of-way from a county right-of-way standard. The right-of-way on the east side has not been dedicated. There is a partial right-of-way in existence there.

There was no testimony in opposition.

Staff questions

Carlson inquired about potential connections other than N.W. 12th and Alvo Road. Tom Cajka of Planning staff agreed that Highland View to the west was approved with access to Hwy 34 and they ran into problems with the state. Highland View was approved to allow the final platting of 115 lots with one access onto Hwy 34. Future access points were going to be to Alvo Road and some other stub streets to the east into Fallbrook. The other option was that they could use Alvo Road and go to the west to N.W. 27th and back to Hwy 34, but that would require them to pave those streets. The Fallbrook PUD does not include that area west that abuts Highland View except for Alvo Road that is shown in the PUD. He does not believe that area was ever shown in any previously approved plat. Fallbrook currently has a preliminary plat, community unit plan and use permit. This proposed PUD rolls those three separate permits into one PUD.

Esseks inquired whether there is anything that can be done to serve the interests of both developments. Cajka explained that we cannot require that the west portion of the Fallbrook property be included in the PUD.

Response by the Applicant

Mettenbrink further testified that what they are trying to accomplish out in Fallbrook is something that is different and unique, and in many ways is special in this community. They are doing things

that a lot of people would not do and cannot do. They are trying to do something that is better; that is a signature piece for this community for the next century.

Nebco has met with Mr. Katt and his client at least three times. Nebco agreed with Prairie Homes quite some time ago that Nebco would do exactly what is being requested in this proposal, which is to annex Alvo Road over to N.W. 12th Street so that we can get Alvo built. Nebco is trying to get the perimeters of its development put in place. It is time to branch out to the north and the west. Nebco is agreeing to annex that property and to start design and engineering those improvements. Nebco has committed to LPS and the YMCA that before that school is completed in Fallbrook in the fall of 2009, Alvo Road will be completed, Tallgrass Parkway will be completed and Stonebrook Parkway will be completed, at significant expense to Nebco. The previous annexation agreement calls for payback from the city on a shared basis. Those funds are no longer in the CIP and Nebco understands that. They have agreed with the City to move ahead and do what is required and what is necessary for this community to continue to grow.

Mettenbrink then addressed Prairie Homes and Highland View. In their meetings, they did discuss additional access points along N.W. 12th Street, but unfortunately, with the plan that Nebco has right now and some of the conversations that are underway with some major developments over on that side, Nebco is not prepared to plat that piece yet. They are not exactly sure where the boundaries of a particular development might end up. Nebco has said that they are willing to live with the consequences of "you being ahead of us – you go ahead and plat your side – you fix the access points on N.W. 12th Street, and we'll work to those." Nebco believes it has given up quite a bit. Nebco did not put any restrictions on Prairie Homes about where those access points might be shared on N.W. 12th Street. Nebco has also agreed that if Prairie Homes ended up at their trigger point of having two accesses from their development, Nebco would work with them to get Alvo done, even if Nebco isn't ready yet. Nebco has made this commitment to Prairie Homes. Nebco typically does what it says it is going to do.

ANNEXATION NO. 05019

ACTION BY PLANNING COMMISSION:

March 1, 2006

Carroll moved approval, seconded by Sunderman and carried 6-0: Krieser, Carroll, Sunderman, Esseks, Taylor and Carlson voting 'yes'; Strand and Larson absent. This is a recommendation to the City Council.

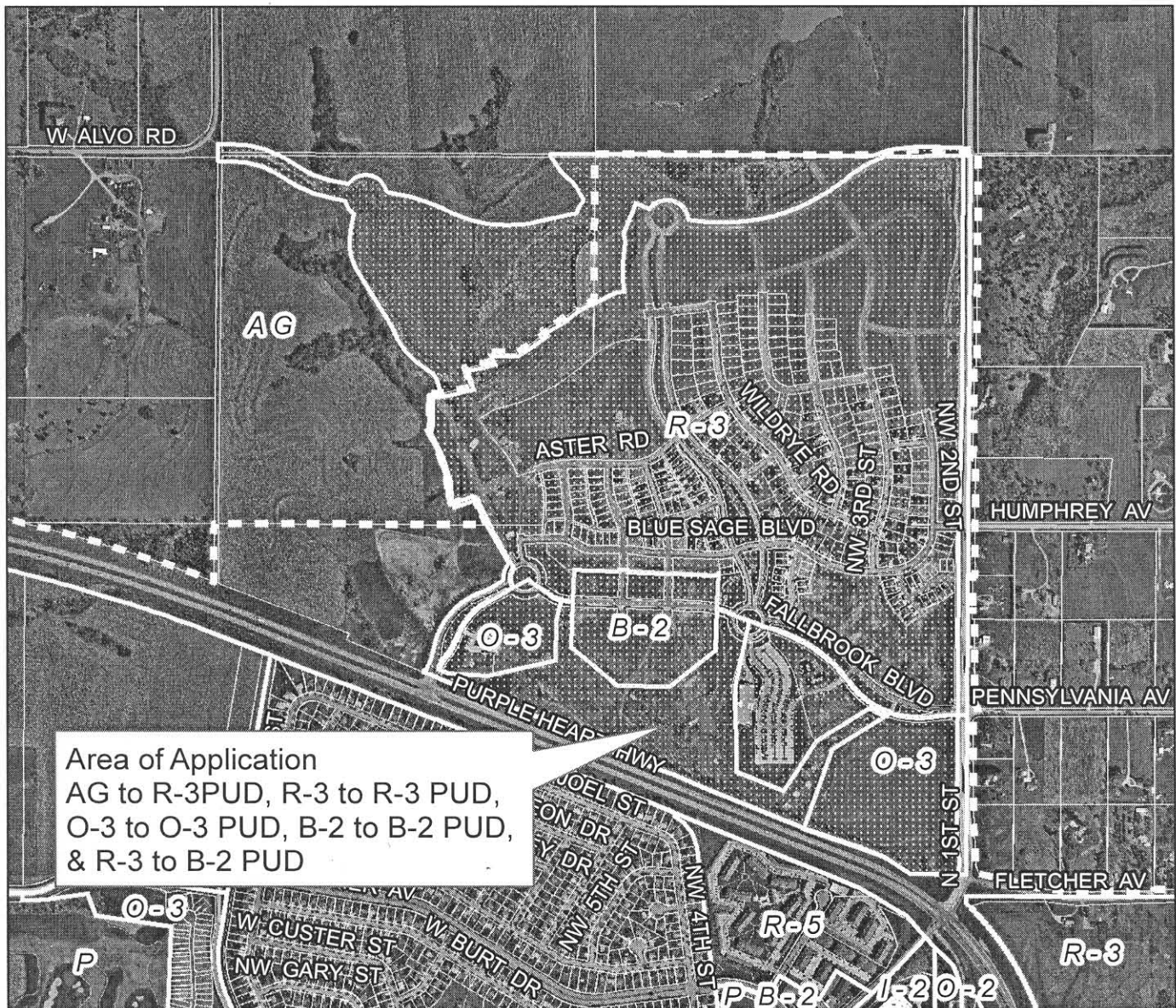
CHANGE OF ZONE NO. 05085

FALLBROOK PLANNED UNIT DEVELOPMENT.

ACTION BY PLANNING COMMISSION:

March 1, 2006

Carroll moved approval of the staff recommendation of conditional approval, second by Sunderman and carried 6-0: Krieser, Carroll, Sunderman, Esseks, Taylor and Carlson voting 'yes'; Strand and Larson absent. This is a recommendation to the City Council.

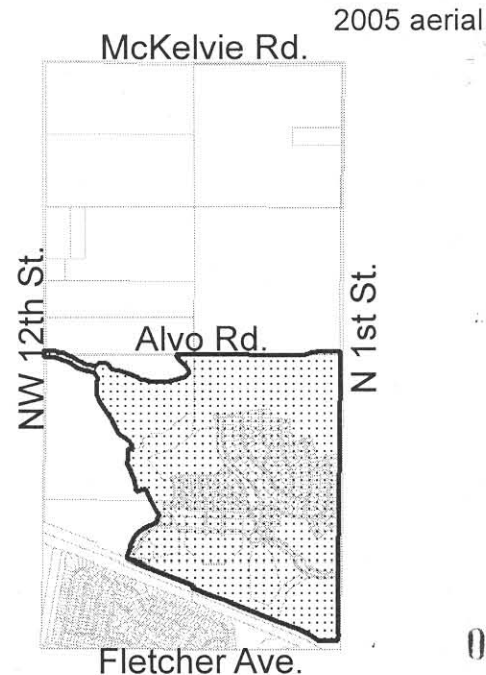
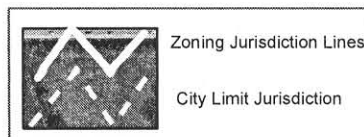


Change of Zone #05085 Fallbrook NW 8th St. & Alvo Rd.

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

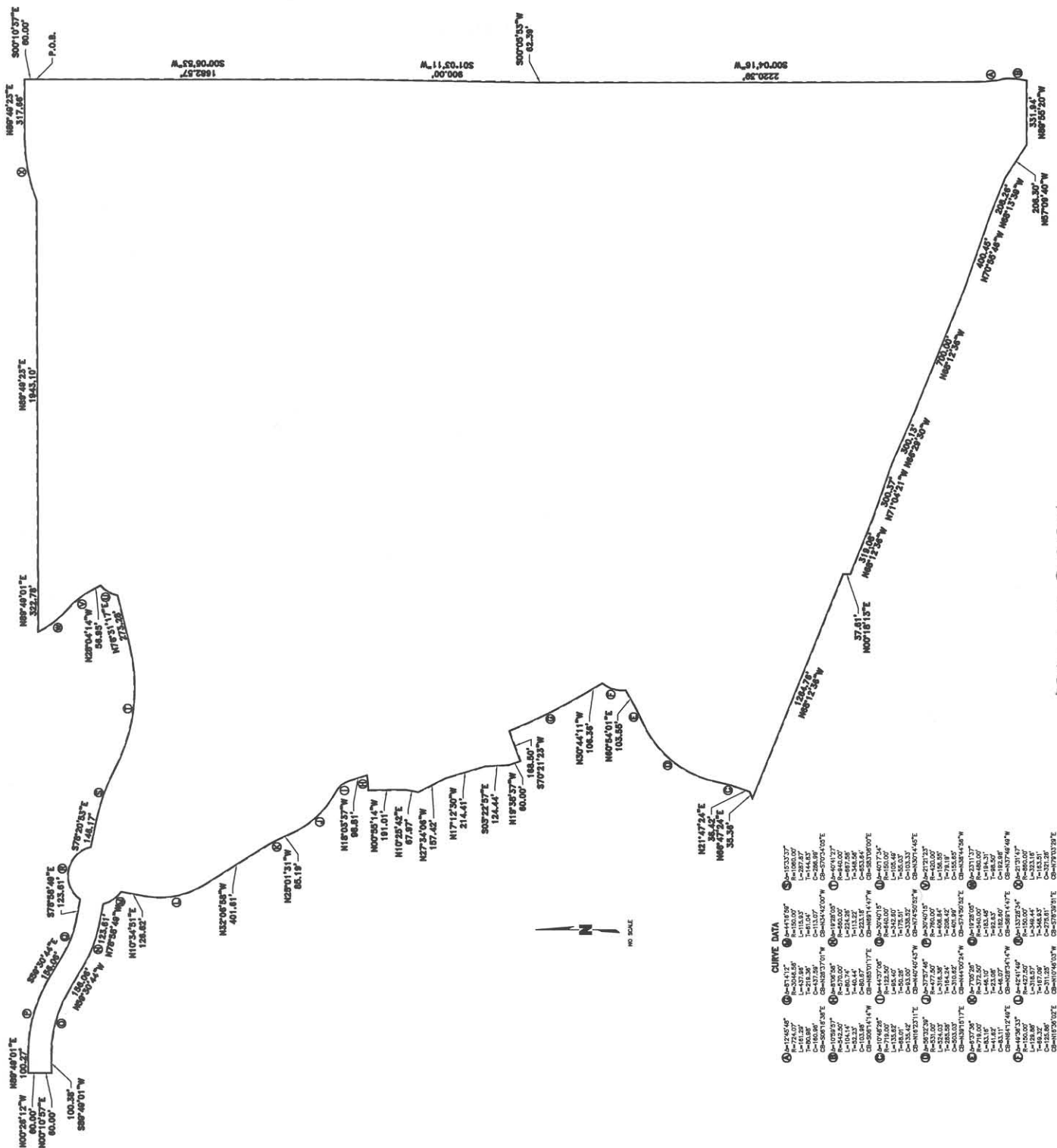
Two Square Miles
Sec. 27 T11N R6E
Sec. 34 T11N R6E



LEGAL DESCRIPTION
P.U.D.

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF LOT 10 I.T., AND A PORTION OF LOT 11 I.T., OUTLOTS "A", "B", "C", "D", "E", "K", "L", "P", AND "U", LOT 1 BLOCK 1, LOTS 1 AND 3 BLOCK 2, LOT 1, AND LOTS 4 THROUGH 8 BLOCK 3, LOTS 1 THROUGH 19 BLOCK 4, LOTS 1 THROUGH 3 BLOCK 5, LOTS 1 THROUGH 8 BLOCK 6, LOTS 1 THROUGH 4 BLOCK 7, LOTS 1 AND 2 BLOCK 8, LOTS 1 THROUGH 9 BLOCK 9, LOTS 5 THROUGH 7 BLOCK 10, LOT 3 BLOCK 13, AND LOT 1 BLOCK 14, ALL OF FALLBROOK ADDITION, OUTLOTS "A", "B", AND "C", LOTS 1 THROUGH 12 BLOCK 1, AND LOTS 1 THROUGH 18 BLOCK 2, ALL OF FALLBROOK 1ST ADDITION, LOTS 1 AND 2 FALLBROOK 2ND ADDITION, OUTLOT "B", AND LOTS 1 THROUGH 9 BLOCK 1, ALL OF FALLBROOK 3RD ADDITION, OUTLOTS "D", "E", "F", "H" AND "I", LOT 3 BLOCK 1, LOTS 1 THROUGH 12 BLOCK 2, AND LOTS 1 THROUGH 10 BLOCK 3, ALL OF FALLBROOK 4TH ADDITION, OUTLOT "A", AND LOTS 1 THROUGH 3 BLOCK 1, ALL OF FALLBROOK 5TH ADDITION, LOTS 1 THROUGH 6 BLOCK 1, LOTS 1 THROUGH 18 BLOCK 2, LOTS 1 THROUGH 7 BLOCK 3, LOTS 1 THROUGH 12 BLOCK 4, AND LOTS 1 THROUGH 9 BLOCK 5, ALL OF FALLBROOK 6TH ADDITION, OUTLOTS "A", "B", "C", "D", "E", AND "F", LOTS 1 THROUGH 10 BLOCK 1, LOTS 1 THROUGH 21 BLOCK 2, AND LOTS 1 THROUGH 8 BLOCK 3, ALL OF FALLBROOK 8TH ADDITION, LOTS 1 AND 2, FALLBROOK 9TH ADDITION, LOTS 1 AND 2, FALLBROOK 10TH ADDITION, LOTS 1 AND 2, FALLBROOK 11TH ADDITION, OUTLOTS "A" AND "B", LOTS 1 THROUGH 13 BLOCK 1, LOTS 1 THROUGH 18 BLOCK 2, LOTS 1 THROUGH 14 BLOCK 3, LOTS 1 THROUGH 6 BLOCK 4, LOTS 1 AND 2 BLOCK 5, LOTS 1 THROUGH 4 BLOCK 6, AND LOTS 1 THROUGH 3 BLOCK 7, ALL OF FALLBROOK 12TH ADDITION, OUTLOTS "A" AND "B", AND LOTS 1 THROUGH 14, ALL OF FALLBROOK 13TH ADDITION, ALL LOCATED IN SECTION 34, TOWNSHIP 11 NORTH, RANGE 6 EAST, A PORTION OF LOT 9 I.T., LOCATED IN THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 11 NORTH, RANGE 6 EAST, AND A PORTION OF LOT 10 I.T., LOCATED IN THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 11 NORTH RANGE 6 EAST, ALL OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, STATE OF NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF OUTLOT "B" FALLBROOK 12TH ADDITION, SAID POINT BEING ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 34, SAID POINT ALSO BEING 50.00 FEET WEST OF THE EAST LINE OF SAID NORTHEAST QUARTER, SAID POINT BEING ON THE WEST LINE OF NORTH 1ST STREET RIGHT-OF-WAY, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE SOUTH ALONG THE WEST LINE OF SAID RIGHT-OF-WAY ON AN ASSUMED BEARING OF SOUTH 00 DEGREES 05 MINUTES 53 SECONDS WEST, A DISTANCE OF 1,682.57 FEET TO A POINT OF DEFLECTION, THENCE SOUTH 01 DEGREES 03 MINUTES 11 SECONDS WEST ALONG THE WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 900.00 FEET TO A POINT OF DEFLECTION, THENCE SOUTH 00 DEGREES 05 MINUTES 53 SECONDS WEST ALONG THE WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 62.39 FEET TO A POINT OF DEFLECTION, THENCE SOUTH 00 DEGREES 04 MINUTES 16 SECONDS WEST ALONG THE WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 2,220.39 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 12 DEGREES 45 MINUTES 48 SECONDS, A RADIUS OF 724.07 FEET, A CHORD BEARING OF SOUTH 06 DEGREES 38 MINUTES 38 SECONDS EAST ALONG THE WEST LINE OF SAID RIGHT-OF-WAY, AND A CHORD DISTANCE OF 160.96 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 10 DEGREES 59 MINUTES 57 SECONDS, A RADIUS OF 542.50 FEET, A ARC LENGTH OF 104.14 FEET, A CHORD BEARING OF SOUTH 06 DEGREES 14 MINUTES 14 SECONDS WEST ALONG THE WEST LINE OF SAID RIGHT-OF-WAY, AND A CHORD DISTANCE OF 103.98 FEET TO THE SOUTHEAST CORNER OF LOT 1 BLOCK 2, FALLBROOK ADDITION, SAID POINT BEING ON THE NORTH LINE OF U.S. HIGHWAY 34 RIGHT-OF-WAY, THENCE NORTH 89 DEGREES 55 MINUTES 20 SECONDS WEST ALONG THE NORTH LINE OF SAID U.S. HIGHWAY 34 RIGHT-OF-WAY, A DISTANCE OF 331.94 FEET TO A POINT OF DEFLECTION, THENCE NORTH 57 DEGREES 09 MINUTES 40 SECONDS WEST ALONG A NORTHEAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 206.30 FEET TO A POINT OF DEFLECTION, THENCE NORTH 68 DEGREES 13 MINUTES 39 SECONDS WEST ALONG A NORTHEAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 208.26 FEET TO A POINT OF DEFLECTION, THENCE NORTH 70 DEGREES 55 MINUTES 46 SECONDS WEST ALONG A NORTHEAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 400.45 FEET TO A POINT OF DEFLECTION, THENCE NORTH 68 DEGREES 12 MINUTES 36 SECONDS WEST ALONG A NORTHEAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 700.00 FEET TO A POINT OF DEFLECTION, THENCE NORTH 66 DEGREES 29 MINUTES 30 SECONDS WEST ALONG A NORTHEAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 300.13 FEET TO A POINT OF DEFLECTION, THENCE NORTH 71 DEGREES 04 MINUTES 21 SECONDS WEST ALONG A NORTHEAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 300.37 FEET TO A POINT OF DEFLECTION, THENCE NORTH 68 DEGREES 12 MINUTES 36 SECONDS WEST ALONG A NORTHEAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 319.08 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 34, THENCE NORTH 00 DEGREES 13 SECONDS EAST ALONG THE NORTHEAST LINE OF SAID RIGHT-OF-WAY, SAID LINE BEING THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 37.61 FEET TO A POINT OF DEFLECTION, THENCE NORTH 68 DEGREES 12 MINUTES 36 SECONDS WEST ALONG THE NORTHEAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 1,264.76 FEET TO THE SOUTHEAST CORNER OF OUTLOT "F", FALLBROOK ADDITION, SAID POINT BEING THE SOUTHWEST CORNER OF FALLBROOK BOULEVARD RIGHT-OF-WAY, THENCE NORTH 66 DEGREES 47 MINUTES 24 SECONDS EAST ALONG THE NORTHWEST LINE OF SAID FALLBROOK BOULEVARD RIGHT-OF-WAY, A DISTANCE OF 35.36 FEET TO A POINT OF DEFLECTION, THENCE NORTH 21 DEGREES 47 MINUTES 24 SECONDS EAST ALONG A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 36.42 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 10 DEGREES 48 MINUTES 26 SECONDS, A RADIUS OF 719.00 FEET, A ARC LENGTH OF 135.62 FEET, A CHORD BEARING OF NORTH 16 DEGREES 23 MINUTES 11 SECONDS EAST ALONG THE NORTHWEST LINE OF SAID RIGHT-OF-WAY, AND A CHORD DISTANCE OF 135.42 FEET TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 56 DEGREES 32 MINUTES 39 SECONDS, A RADIUS OF 531.00 FEET, A ARC LENGTH OF 524.03 FEET, A CHORD BEARING OF NORTH 39 DEGREES 15 MINUTES 17 SECONDS EAST ALONG A NORTHWEST LINE OF SAID RIGHT-OF-WAY, AND A CHORD DISTANCE OF 503.03 FEET TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 06 DEGREES 37 MINUTES 36 SECONDS, A RADIUS OF 719.00 FEET, A ARC LENGTH OF 83.16 FEET, A CHORD BEARING OF NORTH 64 DEGREES 12 MINUTES 49 SECONDS EAST ALONG A NORTHWEST LINE OF SAID RIGHT-OF-WAY, AND A CHORD DISTANCE OF 83.11 FEET TO A POINT OF TANGENCY, THENCE NORTH 60 DEGREES 54 MINUTES 01 SECONDS EAST ALONG A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 103.55 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 49 DEGREES 36 MINUTES 33 SECONDS, A RADIUS OF 150.00 FEET, A ARC LENGTH OF 29.89 FEET, A CHORD BEARING OF NORTH 16 DEGREES 36 MINUTES 02 SECONDS EAST ALONG THE NORTHWEST LINE OF SAID RIGHT-OF-WAY, AND A CHORD DISTANCE OF 125.86 FEET TO A POINT OF INTERSECTION WITH THE NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 106.36 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 08 DEGREES 14 MINUTES 12 SECONDS, A RADIUS OF 3,046.56 FEET, A ARC LENGTH OF 437.96 FEET, A CHORD BEARING OF NORTH 26 DEGREES 37 MINUTES 00 SECONDS WEST ALONG A SOUTHWEST LINE OF OUTLOT "F", FALLBROOK 8TH ADDITION, AND ITS EXTENSION, AND A CHORD DISTANCE OF 437.59 FEET TO A POINT, THENCE SOUTH 70 DEGREES 21 MINUTES 23 SECONDS WEST ALONG A SOUTH LINE OF SAID OUTLOT "F", A DISTANCE OF 168.50 FEET TO A POINT OF DEFLECTION, THENCE NORTH 19 DEGREES 38 MINUTES 37 SECONDS WEST ALONG A WEST LINE OF SAID OUTLOT "F", A DISTANCE OF 80.00 FEET TO A POINT OF DEFLECTION, THENCE NORTH 03 DEGREES 22 MINUTES 57 SECONDS WEST ALONG A WEST LINE OF SAID OUTLOT "F", A DISTANCE OF 124.44 FEET TO A POINT OF DEFLECTION, THENCE NORTH 17 DEGREES 12 MINUTES 30 SECONDS WEST ALONG A WEST LINE OF SAID OUTLOT "F", A DISTANCE OF 214.41 FEET TO A POINT OF DEFLECTION, THENCE NORTH 27 DEGREES 34 MINUTES 06 SECONDS WEST ALONG A WEST LINE OF SAID OUTLOT "F", A DISTANCE OF 157.42 FEET TO A POINT OF DEFLECTION, THENCE NORTH 10 DEGREES 25 MINUTES 42 SECONDS EAST ALONG A WEST LINE OF SAID OUTLOT "F", A DISTANCE OF 67.97 FEET TO A POINT OF DEFLECTION, THENCE NORTH 00 DEGREES 55 MINUTES 14 SECONDS WEST ALONG A WEST LINE OF SAID OUTLOT "F", A DISTANCE OF 191.01 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 08 DEGREES 06 MINUTES 58 SECONDS, A RADIUS OF 570.00 FEET, A ARC LENGTH OF 80.74 FEET, A CHORD BEARING OF NORTH 85 DEGREES 01 MINUTES 17 SECONDS EAST ALONG A NORTH LINE OF SAID OUTLOT "F", AND A CHORD DISTANCE OF 80.67 FEET TO A POINT, THENCE NORTH 18 DEGREES 41 MINUTES 37 SECONDS WEST, A DISTANCE OF 98.81 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 44 DEGREES 37 MINUTES 08 SECONDS, A RADIUS OF 122.50 FEET, A ARC LENGTH OF 95.40 FEET, A CHORD BEARING OF NORTH 40 DEGREES 40 MINUTES 43 SECONDS WEST, AND A CHORD DISTANCE OF 93.00 FEET TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 37 DEGREES 57 MINUTES 46 SECONDS, A RADIUS OF 477.50 FEET, A ARC LENGTH OF 316.38 FEET, A CHORD BEARING OF NORTH 44 DEGREES 00 MINUTES 24 SECONDS WEST, AND A CHORD DISTANCE OF 310.62 FEET TO A POINT, THENCE NORTH 25 DEGREES 01 MINUTES 31 SECONDS WEST, A DISTANCE OF 85.19 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 07 DEGREES 05 MINUTES 26 SECONDS, A RADIUS OF 372.50 FEET, A ARC LENGTH OF 46.10 FEET, A CHORD BEARING OF NORTH 28 DEGREES 34 MINUTES 14 SECONDS WEST, AND A CHORD DISTANCE OF 46.07 FEET TO A POINT, THENCE NORTH 32 DEGREES 06 MINUTES 58 SECONDS WEST, A DISTANCE OF 401.61 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 42 DEGREES 41 MINUTES 49 SECONDS, A RADIUS OF 427.50 FEET, A ARC LENGTH OF 318.57 FEET, A CHORD BEARING OF NORTH 10 DEGREES 46 MINUTES 03 SECONDS WEST, AND A CHORD DISTANCE OF 311.25 FEET TO A POINT, THENCE NORTH 10 DEGREES 34 MINUTES 51 SECONDS EAST, A DISTANCE OF 126.62 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 44 DEGREES 16 MINUTES 59 SECONDS, A RADIUS OF 150.00 FEET, A ARC LENGTH OF 115.93 FEET, A CHORD BEARING OF NORTH 34 DEGREES 42 MINUTES 00 SECONDS WEST, AND A CHORD DISTANCE OF 113.07 FEET TO A POINT, THENCE NORTH 78 DEGREES 58 MINUTES 49 SECONDS WEST, A DISTANCE OF 123.61 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 19 DEGREES 05 MINUTES 05 SECONDS, A RADIUS OF 660.00 FEET, A ARC LENGTH OF 224.26 FEET, A CHORD BEARING OF NORTH 69 DEGREES 11 MINUTES 47 SECONDS WEST, AND A CHORD DISTANCE OF 223.18 FEET TO A POINT, THENCE NORTH 58 DEGREES 30 MINUTES 44 SECONDS WEST, A DISTANCE OF 156.06 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 30 DEGREES 40 MINUTES 15 SECONDS, A RADIUS OF 640.00 FEET, A ARC LENGTH OF 342.60 FEET, A CHORD BEARING OF NORTH 74 DEGREES 50 MINUTES 52 SECONDS, AND A CHORD DISTANCE OF 338.52 FEET TO A POINT, THENCE SOUTH 89 DEGREES 49 MINUTES 01 SECONDS WEST ALONG A LINE 60.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 34, A DISTANCE OF 100.38 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID NORTHWEST QUARTER, THENCE NORTH 00 DEGREES 10 MINUTES 57 SECONDS EAST ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 60.00 FEET TO THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER, THENCE NORTH 00 DEGREES 26 MINUTES 12 SECONDS WEST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 11 NORTH, RANGE 6 EAST, A DISTANCE OF 60.00 FEET TO A POINT, THENCE NORTH 89 DEGREES 49 MINUTES 01 SECONDS EAST ALONG A LINE LOCATED 60.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 100.27 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 30 DEGREES 40 MINUTES 15 SECONDS, A RADIUS OF 760.00 FEET, A ARC LENGTH OF 406.84 FEET, A CHORD BEARING OF SOUTH 74 DEGREES 50 MINUTES 52 SECONDS EAST, AND A CHORD DISTANCE OF 401.99 FEET TO A POINT, THENCE SOUTH 59 DEGREES 30 MINUTES 44 SECONDS EAST, A DISTANCE OF 156.06 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 19 DEGREES 28 MINUTES 05 SECONDS, A RADIUS OF 540.00 FEET, A ARC LENGTH OF 183.48 FEET, A CHORD BEARING OF SOUTH 69 DEGREES 14 MINUTES 47 SECONDS EAST, AND A CHORD DISTANCE OF 182.60 FEET TO A POINT, THENCE SOUTH 78 DEGREES 58 MINUTES 49 SECONDS EAST, A DISTANCE OF 123.61 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 133 DEGREES 28 MINUTES 34 SECONDS, A RADIUS OF 150.00 FEET, A ARC LENGTH OF 349.44 FEET, A CHORD BEARING OF SOUTH 78 DEGREES 39 MINUTES 51 SECONDS EAST, AND A CHORD DISTANCE OF 275.61 FEET TO A POINT, THENCE SOUTH 78 DEGREES 20 MINUTES 53 SECONDS EAST, A DISTANCE OF 146.17 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 15 DEGREES 33 MINUTES 37 SECONDS, A RADIUS OF 1,060.00 FEET, A ARC LENGTH OF 287.87 FEET, A CHORD BEARING OF SOUTH 70 DEGREES 34 MINUTES 05 SECONDS EAST, AND A CHORD DISTANCE OF 286.99 FEET TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 40 DEGREES 41 MINUTES 27 SECONDS, A RADIUS OF 940.00 FEET, A ARC LENGTH OF 667.58 FEET, A CHORD BEARING OF SOUTH 83 DEGREES 08 MINUTES 00 SECONDS EAST, AND A CHORD DISTANCE OF 653.64 FEET TO A POINT, THENCE NORTH 76 DEGREES 31 MINUTES 17 SECONDS EAST, A DISTANCE OF 273.28 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 40 DEGREES 17 MINUTES 34 SECONDS, A RADIUS OF 150.00 FEET, A ARC LENGTH OF 105.49 FEET, A CHORD BEARING OF NORTH 30 DEGREES 14 MINUTES 45 SECONDS EAST, AND A CHORD DISTANCE OF 103.33 FEET TO A POINT, THENCE NORTH 28 DEGREES 04 MINUTES 14 SECONDS WEST, A DISTANCE OF 56.95 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 21 DEGREES 21 MINUTES 23 SECONDS, A RADIUS OF 420.00 FEET, A ARC LENGTH OF 156.55 FEET, A CHORD BEARING OF NORTH 38 DEGREES 44 MINUTES 56 SECONDS WEST, AND A CHORD DISTANCE OF 155.65 FEET TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 23 DEGREES 11 MINUTES 37 SECONDS, A RADIUS OF 480.00 FEET, A ARC LENGTH OF 194.31 FEET, A CHORD BEARING OF NORTH 37 DEGREES 49 MINUTES 49 SECONDS WEST, AND A CHORD DISTANCE OF 192.98 FEET TO A POINT OF INTERSECTION WITH THE NORTHWEST QUARTER OF SAID SECTION 34, THENCE NORTH 89 DEGREES 49 MINUTES 01 SECONDS EAST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 322.78 FEET TO THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER, THENCE NORTH 89 DEGREES 49 MINUTES 23 SECONDS EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 34, A DISTANCE OF 1,943.10 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 21 DEGREES 31 MINUTES 47 SECONDS, A RADIUS OF 860.00 FEET, A ARC LENGTH OF 323.16 FEET, A CHORD BEARING OF NORTH 79 DEGREES 03 MINUTES 29 SECONDS EAST, AND A CHORD DISTANCE OF 321.26 FEET TO A POINT, THENCE NORTH 89 DEGREES 49 MINUTES 23 SECONDS EAST ALONG A LINE 60.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SECTION 27, A DISTANCE OF 317.66 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF LOT 10 I.T., THENCE SOUTH 00 DEGREES 10 MINUTES 37 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 10, SAID LINE BEING 50.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 27, SAID LINE BEING THE WEST LINE OF NORTH 1ST STREET RIGHT-OF-WAY, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 16,469,504.0933 SQUARE FEET OR 378.0878 ACRES, MORE OR LESS.



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FALLBROOK
PLANNED UNIT DEVELOPMENT

**LEGAL DESCRIPTION
CHANGE OF ZONE
FROM B-2 TO B-2 PUD**

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF LOT 3, BLOCK 2, LOT 3, BLOCK 13, LOT 1, BLOCK 14, FALLBROOK ADDITION, LOT 3, BLOCK 1, FALLBROOK 4TH ADDITION, ALL LOCATED IN THE SOUTH ONE-HALF OF SECTION 34, TOWNSHIP 11 NORTH, RANGE 6 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA.

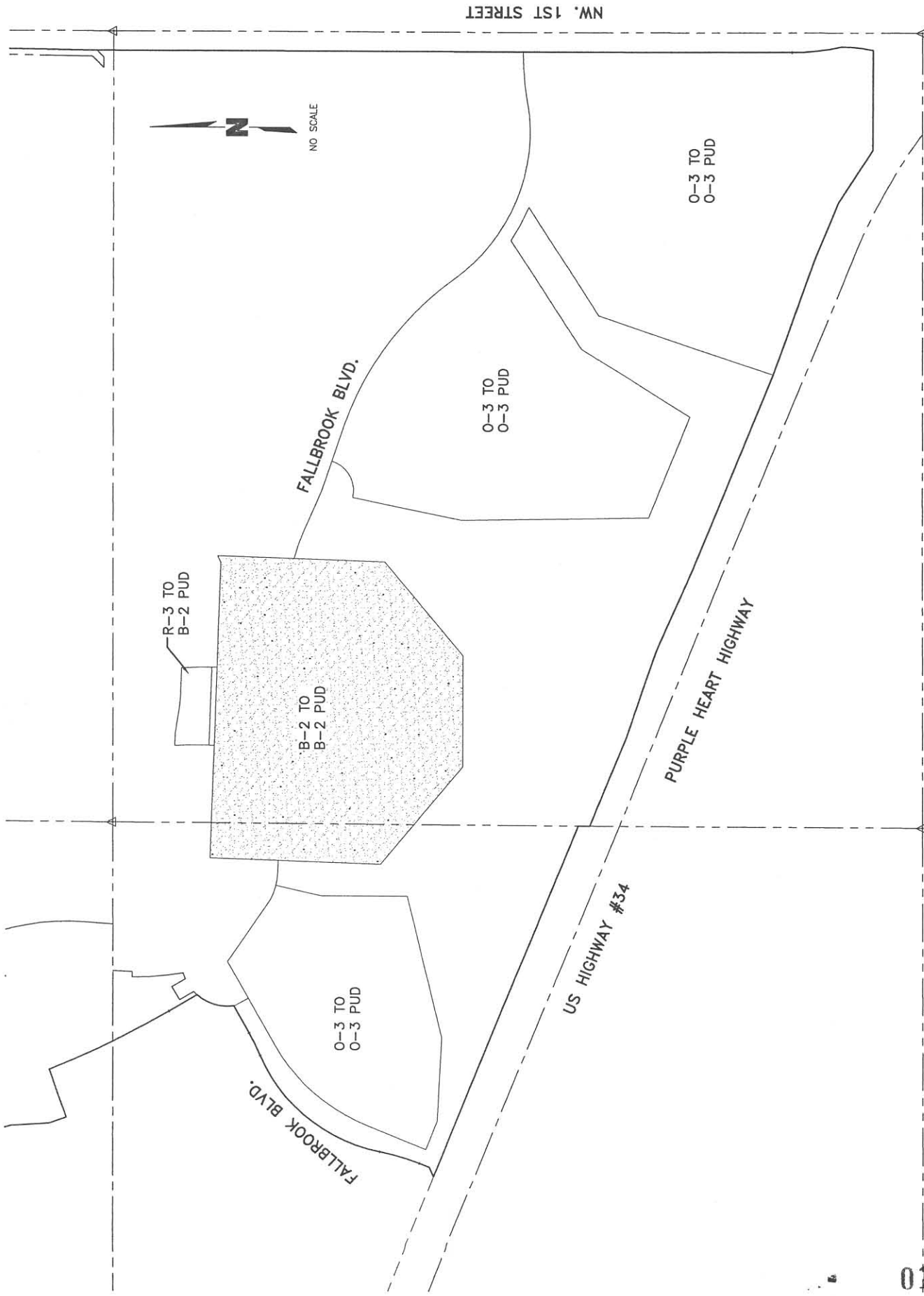
December 9, 2005

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XREFS: ybase

610



PROJECT NO: 2001-0577

DRAWN BY: SLF

DATE: 12/09/05

ZONING EXHIBIT



OLSSON ASSOCIATES
ENGINEERS - PLANNERS - SCIENTISTS - SURVEYORS
1111 LINCOLN MALL - LINCOLN, NEBRASKA 68508
PH. 402-474-8311 - FAX 402-474-5160

EXHIBIT

1

**LEGAL DESCRIPTION
CHANGE OF ZONE
FROM O-3 TO O-3 PUD**

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF LOT 1, BLOCK 2, FALLBROOK ADDITION, LOT 1 AND LOT 2, FALLBROOK 2ND ADDITION, AND LOT 1 AND LOT 2, FALLBROOK 9TH ADDITION, ALL LOCATED IN THE SOUTH ONE-HALF OF SECTION 34, TOWNSHIP 11 NORTH, RANGE 6 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA.

December 9, 2005
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021

PROJECT NO: 2001-0577

DRAWN BY: SLF

DATE: 12/09/05

ZONING EXHIBIT



OLSSON ASSOCIATES
ENGINEERS - PLANNERS - SCIENTISTS - SURVEYORS
1111 LINCOLN MALL - LINCOLN, NEBRASKA 68508
PH. 402-474-8311 - FAX 402-474-5160

EXHIBIT

1

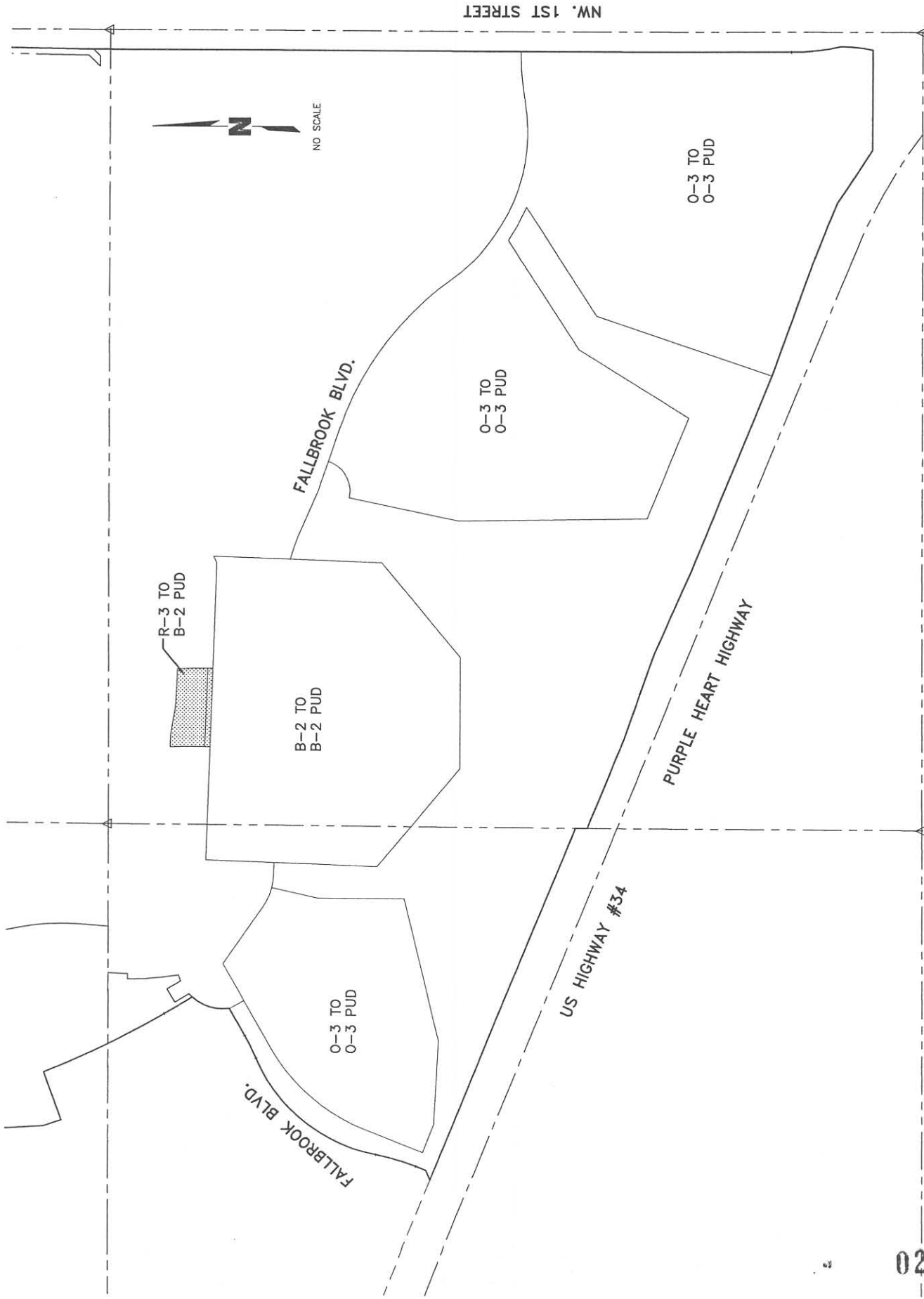
**LEGAL DESCRIPTION
CHANGE OF ZONE
FROM R-3 TO B-2 PUD**

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF OUTLOT 'H', FALLBROOK 4TH ADDITION, AND OUTLOT 'E', FALLBROOK 8TH ADDITION, ALL LOCATED IN THE SOUTH ONE-HALF OF SECTION 34, TOWNSHIP 11 NORTH, RANGE 6 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA.

December 9, 2005
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 DATE: Dec 09, 2005 10:00am
 XREFS: ybase

023



PROJECT NO: 2001-0577
 DRAWN BY: SLF
 DATE: 12/09/05

ZONING EXHIBIT



OLSSON ASSOCIATES
 ENGINEERS - PLANNERS - SCIENTISTS - SURVEYORS
 1111 LINCOLN MALL - LINCOLN, NEBRASKA 68508
 PH. 402-474-8311 - FAX 402-474-5160

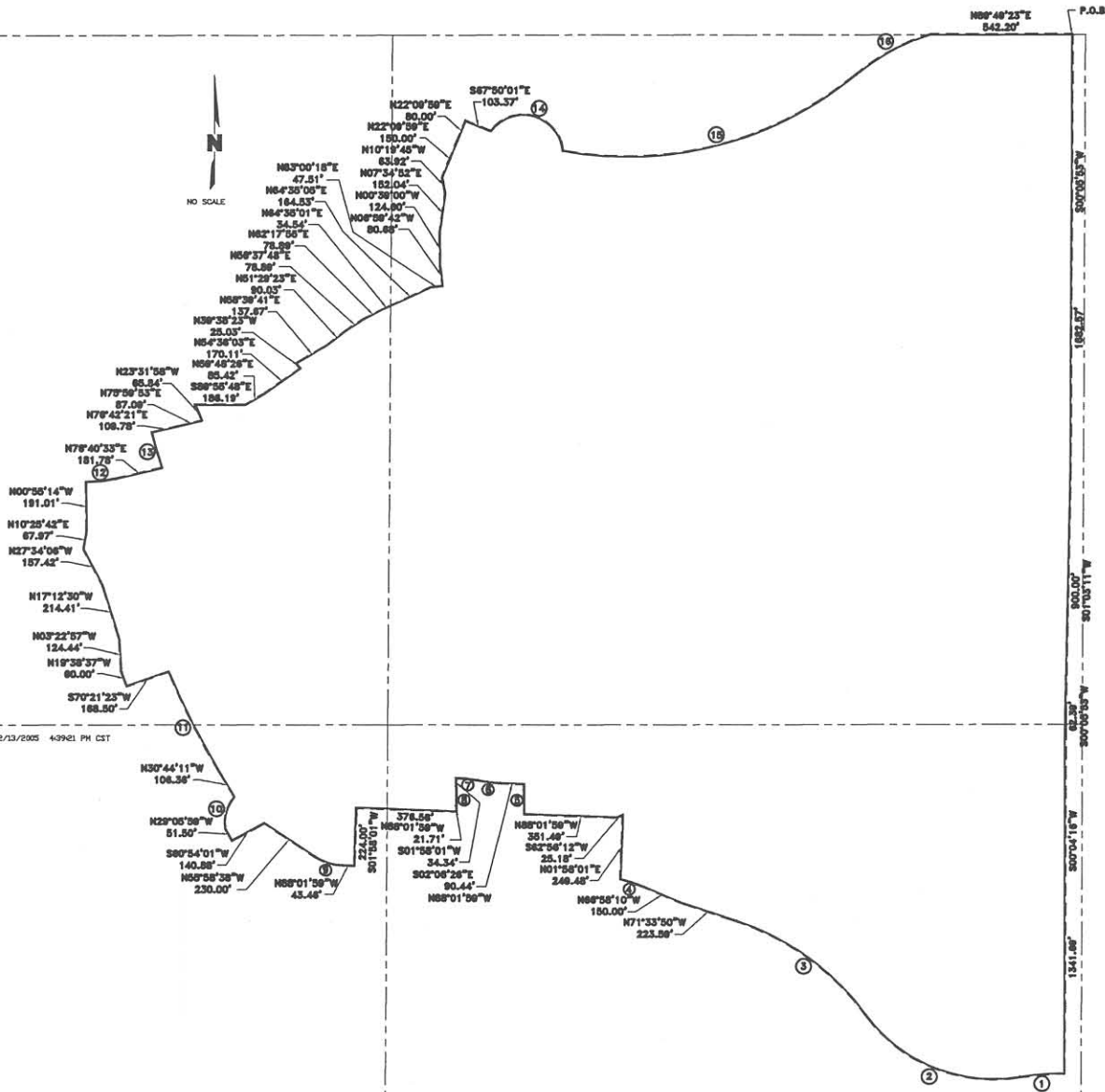
LEGAL DESCRIPTION
CHANGE OF ZONE
FROM R-3 TO R-3 PUD

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF LOT 10 I.T., OUTLOTS "A", "B", "K", "Q", AND "U", LOT 1 BLOCK 1, LOT 1 BLOCK 3, LOTS 4 THROUGH 8 BLOCK 3, LOTS 1 THROUGH 19 BLOCK 4, LOTS 1 THROUGH 3 BLOCK 5, LOTS 1 THROUGH 8 BLOCK 6, LOTS 1 THROUGH 4 BLOCK 7, LOTS 1 AND 2 BLOCK 8, LOTS 1 THROUGH 9 BLOCK 9, LOTS 5 THROUGH 7 BLOCK 10, AND A PORTION OF OUTLOTS "C", "D", "F", AND "P", ALL OF FALLBROOK ADDITION, LOTS 1 THROUGH 12 AND OUTLOT "A" BLOCK 1, LOTS 1 THROUGH 18 AND OUTLOT "B" BLOCK 2, AND OUTLOT "C" BLOCK 3, ALL OF FALLBROOK 1ST ADDITION, OUTLOT "B", AND LOTS 1 THROUGH 9, ALL OF FALLBROOK 3RD ADDITION, OUTLOTS "E", "F", "G", AND "I", LOTS 1 THROUGH 12 BLOCK 2, AND LOTS 1 THROUGH 10 BLOCK 3, ALL OF FALLBROOK 4TH ADDITION, OUTLOT "A", AND LOTS 1 THROUGH 3 BLOCK 1, ALL OF FALLBROOK 5TH ADDITION, LOTS 1 THROUGH 6 BLOCK 1, LOTS 1 THROUGH 18 BLOCK 2, LOTS 1 THROUGH 7 BLOCK 3, LOTS 1 THROUGH 12 BLOCK 4, AND LOTS 1 THROUGH 9 BLOCK 5, ALL OF FALLBROOK 6TH ADDITION, OUTLOTS "A", "B", "C", "D", AND "F", LOTS 1 THROUGH 10 BLOCK 1, LOTS 1 THROUGH 21 BLOCK 2, AND LOTS 1 THROUGH 6 BLOCK 3, ALL OF FALLBROOK 8TH ADDITION, LOTS 1 AND 2, FALLBROOK 10TH ADDITION, LOTS 1 AND 2 FALLBROOK 11TH ADDITION, OUTLOT "A", AND A PORTION OF OUTLOT "B", LOTS 1 THROUGH 13 BLOCK 1, LOTS 1 THROUGH 18 BLOCK 2, LOTS 1 THROUGH 14 BLOCK 3, LOTS 1 THROUGH 6 BLOCK 4, LOTS 1 AND 2 BLOCK 5, LOTS 1 THROUGH 4 BLOCK 6, AND LOTS 1 THROUGH 3 BLOCK 7, ALL OF FALLBROOK 12TH ADDITION, OUTLOTS "A" AND "B", AND LOTS 1 THROUGH 14, ALL OF FALLBROOK 13TH ADDITION, ALL LOCATED IN SECTION 34, TOWNSHIP 11 NORTH, RANGE 6 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, STATE OF NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF OUTLOT "B", FALLBROOK 12TH ADDITION, SAID POINT BEING 50.00 FEET WEST OF THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 34, SAID POINT BEING ON THE NORTH LINE OF SAID NORTHEAST QUARTER, SAID POINT BEING ON THE WEST LINE OF NORTH 1ST STREET RIGHT-OF-WAY, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE SOUTH ALONG THE WEST LINE OF SAID RIGHT-OF-WAY ON AN ASSUMED BEARING OF SOUTH 00 DEGREES 05 MINUTES 53 SECONDS WEST, A DISTANCE OF 1,682.57 FEET TO A POINT OF DEFLECTION, THENCE SOUTH 01 DEGREES 03 MINUTES 11 SECONDS WEST ALONG THE WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 900.00 FEET TO A POINT OF DEFLECTION, THENCE SOUTH 00 DEGREES 05 MINUTES 53 SECONDS WEST ALONG THE WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 62.39 FEET TO A POINT OF DEFLECTION, THENCE SOUTH 00 DEGREES 04 MINUTES 16 SECONDS WEST ALONG THE WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 1,341.69 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 09 DEGREES 42 MINUTES 19 SECONDS, A RADIUS OF 1,000.00 FEET, A ARC LENGTH OF 169.39 FEET, A CHORD BEARING OF SOUTH 85 DEGREES 05 MINUTES 53 SECONDS WEST, AND A CHORD DISTANCE OF 169.19 FEET TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 63 DEGREES 43 MINUTES 38 SECONDS, A RADIUS OF 600.00 FEET, A ARC LENGTH OF 667.35 FEET, A CHORD BEARING OF NORTH 67 DEGREES 53 MINUTES 27 SECONDS WEST, AND A CHORD DISTANCE OF 633.48 FEET TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 35 DEGREES 32 MINUTES 12 SECONDS, A RADIUS OF 1,000.00 FEET, A ARC LENGTH OF 620.23 FEET, A CHORD BEARING OF NORTH 53 DEGREES 47 MINUTES 44 SECONDS WEST, AND A CHORD DISTANCE OF 610.34 FEET TO A POINT, THENCE NORTH 71 DEGREES 33 MINUTES 50 SECONDS WEST, A DISTANCE OF 223.59 FEET TO A POINT, THENCE NORTH 66 DEGREES 58 MINUTES 10 SECONDS WEST, A DISTANCE OF 150.00 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 08 DEGREES 59 MINUTES 38 SECONDS, A RADIUS OF 600.00 FEET, A ARC LENGTH OF 94.18 FEET, A CHORD BEARING OF NORTH 71 DEGREES 27 MINUTES 59 SECONDS WEST, AND A CHORD DISTANCE OF 94.09 FEET TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE EAST LINE OF LOT 3 BLOCK 1, FALLBROOK 4TH ADDITION, THENCE NORTH 01 DEGREES 58 MINUTES 01 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 3, AND ITS EXTENSION, A DISTANCE OF 249.48 FEET TO THE NORTHEAST CORNER OF SAID LOT 3, THENCE SOUTH 62 DEGREES 56 MINUTES 12 SECONDS WEST ALONG A NORTH LINE OF SAID LOT 3, A DISTANCE OF 25.18 FEET TO A POINT OF DEFLECTION, THENCE NORTH 88 DEGREES 01 MINUTES 59 SECONDS WEST ALONG A NORTH LINE OF SAID LOT 3, AND ITS EXTENSION, A DISTANCE OF 351.49 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF NORTHWEST 6TH STREET RIGHT-OF-WAY, SAID POINT BEING THE POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 04 DEGREES 31 MINUTES 41 SECONDS, A RADIUS OF 1,470.00 FEET, A ARC LENGTH OF 116.17 FEET, A CHORD BEARING OF NORTH 00 DEGREES 52 MINUTES 52 SECONDS WEST ALONG THE WEST LINE OF SAID RIGHT-OF-WAY, AND A CHORD DISTANCE OF 116.14 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF BLUE SAGE BOULEVARD RIGHT-OF-WAY, THENCE NORTH 88 DEGREES 01 MINUTES 59 SECONDS WEST ALONG THE SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 90.44 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 09 DEGREES 53 MINUTES 38 SECONDS, A RADIUS OF 480.00 FEET, A ARC LENGTH OF 82.89 FEET, A CHORD BEARING OF NORTH 83 DEGREES 05 MINUTES 10 SECONDS WEST ALONG THE SOUTH LINE OF SAID RIGHT-OF-WAY, AND A CHORD DISTANCE OF 82.78 FEET TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 11 DEGREES 49 MINUTES 28 SECONDS, A RADIUS OF 420.00 FEET, A ARC LENGTH OF 86.68 FEET, A CHORD BEARING OF NORTH 84 DEGREES 03 MINUTES 05 SECONDS WEST ALONG A SOUTH LINE OF SAID RIGHT-OF-WAY, AND A CHORD DISTANCE OF 86.52 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF NORTHWEST 7TH STREET RIGHT-OF-WAY, THENCE SOUTH 02 DEGREES 06 MINUTES 26 SECONDS EAST ALONG THE EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 34.34 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 04 DEGREES 04 MINUTES 27 SECONDS, A RADIUS OF 1,030.00 FEET, A ARC LENGTH OF 73.24 FEET, A CHORD BEARING OF SOUTH 00 DEGREES 04 MINUTES 12 SECONDS EAST ALONG THE EAST LINE OF SAID RIGHT-OF-WAY, AND A CHORD DISTANCE OF 73.23 FEET TO A POINT, THENCE SOUTH 01 DEGREES 58 MINUTES 01 SECONDS WEST ALONG THE EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 21.71 FEET TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE NORTH LINE OF LOT 1 BLOCK 14, FALLBROOK ADDITION, THENCE NORTH 88 DEGREES 01 MINUTES 59 SECONDS WEST ALONG THE NORTH LINE OF SAID LOT 1, AND ITS EXTENSION, A DISTANCE OF 376.56 FEET TO THE NORTHWEST CORNER OF SAID LOT 1, THENCE SOUTH 01 DEGREES 58 MINUTES 01 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 1, AND ITS EXTENSION, A DISTANCE OF 224.00 FEET TO A POINT, THENCE NORTH 88 DEGREES 01 MINUTES 59 SECONDS WEST, A DISTANCE OF 43.46 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 32 DEGREES 03 MINUTES 21 SECONDS, A RADIUS OF 200.00 FEET, A ARC LENGTH OF 111.90 FEET, A CHORD BEARING OF NORTH 72 DEGREES 00 MINUTES 18 SECONDS WEST, AND A CHORD DISTANCE OF 110.44 FEET TO A POINT, THENCE NORTH 55 DEGREES 58 MINUTES 38 SECONDS WEST, A DISTANCE OF 230.00 FEET TO A POINT, THENCE SOUTH 60 DEGREES 54 MINUTES 01 SECONDS WEST, A DISTANCE OF 140.88 FEET TO A POINT, THENCE NORTH 29 DEGREES 05 MINUTES 59 SECONDS WEST, A DISTANCE OF 51.50 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 50 DEGREES 25 MINUTES 29 SECONDS, A RADIUS OF 150.00 FEET, A ARC LENGTH OF 132.01 FEET, A CHORD BEARING OF NORTH 16 DEGREES 11 MINUTES 34 SECONDS EAST ALONG THE WEST LINE OF FALLBROOK BOULEVARD RIGHT-OF-WAY, AND ITS EXTENSION, AND A CHORD DISTANCE OF 127.79 FEET TO A POINT, THENCE NORTH 30 DEGREES 44 MINUTES 11 SECONDS WEST, A DISTANCE OF 106.36 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 08 DEGREES 14 MINUTES 22 SECONDS, A RADIUS OF 3,045.51 FEET, A ARC LENGTH OF 437.96 FEET, A CHORD BEARING OF NORTH 26 DEGREES 37 MINUTES 01 SECONDS WEST ALONG THE SOUTHWEST LINE OF OUTLOT "F", FALLBROOK 8TH ADDITION, AND ITS EXTENSION, AND A CHORD DISTANCE OF 437.59 FEET TO A POINT, THENCE SOUTH 70 DEGREES 21 MINUTES 23 SECONDS WEST ALONG A SOUTH LINE OF SAID OUTLOT "F", A DISTANCE OF 168.50 FEET TO A POINT, THENCE NORTH 19 DEGREES 38 MINUTES 37 SECONDS WEST ALONG A WEST LINE OF SAID OUTLOT "F", A DISTANCE OF 60.00 FEET TO A POINT, THENCE NORTH 03 DEGREES 22 MINUTES 57 SECONDS WEST ALONG A WEST LINE OF SAID OUTLOT "F", A DISTANCE OF 124.44 FEET TO A POINT, THENCE NORTH 17 DEGREES 12 MINUTES 30 SECONDS WEST ALONG A WEST LINE OF SAID OUTLOT "F", A DISTANCE OF 214.41 FEET TO A POINT, THENCE NORTH 27 DEGREES 34 MINUTES 06 SECONDS WEST ALONG A SOUTHWEST LINE OF SAID OUTLOT "F", A DISTANCE OF 157.42 FEET TO A POINT, THENCE NORTH 10 DEGREES 25 MINUTES 42 SECONDS EAST ALONG A WEST LINE OF SAID OUTLOT "F", A DISTANCE OF 67.97 FEET TO A POINT, THENCE NORTH 00 DEGREES 55 MINUTES 14 SECONDS WEST ALONG A WEST LINE OF SAID OUTLOT "F", A DISTANCE OF 191.01 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 11 DEGREES 17 MINUTES 37 SECONDS, A RADIUS OF 570.00 FEET, A ARC LENGTH OF 112.35 FEET, A CHORD BEARING OF NORTH 83 DEGREES 25 MINUTES 58 SECONDS EAST ALONG A NORTH LINE OF SAID OUTLOT "F", AND A CHORD DISTANCE OF 112.17 FEET TO A POINT, THENCE NORTH 76 DEGREES 40 MINUTES 33 SECONDS EAST ALONG A NORTH LINE OF SAID OUTLOT "F", A DISTANCE OF 181.78 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 06 DEGREES 40 MINUTES 59 SECONDS, A RADIUS OF 1,204.00 FEET, A ARC LENGTH OF 140.44 FEET, A CHORD BEARING OF NORTH 16 DEGREES 38 MINUTES 08 SECONDS WEST ALONG A WEST LINE OF SAID OUTLOT "F", AND A CHORD DISTANCE OF 140.36 FEET TO A POINT, THENCE NORTH 76 DEGREES 42 MINUTES 21 SECONDS EAST ALONG A NORTHWEST LINE OF SAID OUTLOT "A", A DISTANCE OF 109.78 FEET TO A POINT, THENCE NORTH 75 DEGREES 59 MINUTES 53 SECONDS EAST ALONG A NORTHWEST LINE OF SAID OUTLOT "F", A DISTANCE OF 87.09 FEET TO A POINT, THENCE NORTH 23 DEGREES 31 MINUTES 58 SECONDS WEST ALONG A WEST LINE OF SAID OUTLOT "F", A DISTANCE OF 65.84 FEET TO A POINT, THENCE SOUTH 89 DEGREES 55 MINUTES 48 SECONDS EAST ALONG A NORTH LINE OF SAID OUTLOT "F", A DISTANCE OF 186.19 FEET TO A POINT, THENCE NORTH 59 DEGREES 48 MINUTES 26 SECONDS EAST ALONG A NORTHWEST LINE OF SAID OUTLOT "F", A DISTANCE OF 85.42 FEET TO A POINT, THENCE NORTH 54 DEGREES 36 MINUTES 03 SECONDS EAST ALONG A NORTHWEST LINE OF SAID OUTLOT "F", A DISTANCE OF 170.11 FEET TO A POINT, THENCE NORTH 39 DEGREES 38 MINUTES 23 SECONDS WEST ALONG A SOUTHWEST LINE OF SAID OUTLOT "F", A DISTANCE OF 25.03 FEET TO A POINT, THENCE NORTH 58 DEGREES 39 MINUTES 41 SECONDS EAST ALONG A NORTHWEST LINE OF SAID OUTLOT "F", A DISTANCE OF 137.67 FEET TO A POINT, THENCE NORTH 51 DEGREES 29 MINUTES 23 SECONDS EAST ALONG A NORTHWEST LINE OF SAID OUTLOT "F", A DISTANCE OF 90.03 FEET TO A POINT, THENCE NORTH 56 DEGREES 37 MINUTES 48 SECONDS EAST ALONG A NORTHWEST LINE OF SAID OUTLOT "F", A DISTANCE OF 78.89 FEET TO A POINT, THENCE NORTH 62 DEGREES 17 MINUTES 55 SECONDS EAST ALONG A NORTHWEST LINE OF SAID OUTLOT "F", A DISTANCE OF 78.89 FEET TO A POINT, THENCE NORTH 64 DEGREES 35 MINUTES 01 SECONDS EAST ALONG A NORTHWEST LINE OF SAID OUTLOT "F", A DISTANCE OF 34.54 FEET TO THE NORTHEAST CORNER OF SAID OUTLOT "F", SAID POINT BEING ON THE WEST LINE OF OUTLOT "B", FALLBROOK 12TH ADDITION, SAID LINE BEING THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 34, THENCE NORTH 64 DEGREES 35 MINUTES 05 SECONDS EAST, A DISTANCE OF 164.53 FEET TO A POINT, THENCE NORTH 83 DEGREES 00 MINUTES 18 SECONDS EAST, A DISTANCE OF 47.51 FEET TO A POINT, THENCE NORTH 06 DEGREES 59 MINUTES 42 SECONDS WEST, A DISTANCE OF 80.68 FEET TO A POINT, THENCE NORTH 00 DEGREES 39 MINUTES 00 SECONDS WEST, A DISTANCE OF 124.60 FEET TO A POINT, THENCE NORTH 07 DEGREES 34 MINUTES 52 SECONDS EAST, A DISTANCE OF 152.04 FEET TO A POINT, THENCE NORTH 10 DEGREES 19 MINUTES 45 SECONDS WEST, A DISTANCE OF 63.92 FEET TO A POINT, THENCE NORTH 22 DEGREES 09 MINUTES 59 SECONDS EAST, A DISTANCE OF 150.00 FEET TO A POINT, THENCE CONTINUING NORTHERLY ALONG SAID LINE, A DISTANCE OF 80.00 FEET TO A POINT, THENCE SOUTH 67 DEGREES 50 MINUTES 01 SECONDS EAST, A DISTANCE OF 103.37 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 139 DEGREES 33 MINUTES 32 SECONDS, A RADIUS OF 150.00 FEET, A ARC LENGTH OF 365.36 FEET, A CHORD BEARING OF SOUTH 74 DEGREES 41 MINUTES 40 SECONDS EAST, AND A CHORD DISTANCE OF 281.51 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 49 DEGREES 56 MINUTES 43 SECONDS, A RADIUS OF 1,363.93 FEET, A ARC LENGTH OF 1,188.96 FEET, A CHORD BEARING OF NORTH 75 DEGREES 13 MINUTES 34 SECONDS EAST, AND A CHORD DISTANCE OF 1,151.67 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 21 DEGREES 51 MINUTES 08 SECONDS, A RADIUS OF 840.00 FEET, A ARC LENGTH OF 320.37 FEET, A CHORD BEARING OF NORTH 61 DEGREES 08 MINUTES 39 SECONDS EAST, AND A CHORD DISTANCE OF 318.43 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF SAID OUTLOT "B", SAID LINE BEING THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 34, THENCE NORTH 89 DEGREES 49 MINUTES 23 SECONDS EAST ALONG THE NORTH LINE OF SAID OUTLOT "B", SAID LINE BEING THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 542.20 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 9,613,838.42 SQUARE FEET OR 220.70 ACRES, MORE OR LESS.

CURVE DATA

- 1 Δ=9°42'19" R=1000.00' L=169.39' T=84.90' C=189.19' CB=N85°05'53"W
- 2 Δ=8°34'38" R=800.00' L=867.35' T=372.84' C=633.48' CB=N87°53'27"W
- 3 Δ=35°32'12" R=1000.00' L=820.23' T=320.46' C=610.34' CB=N53°47'44"W
- 4 Δ=8°59'38" R=800.00' L=861.19' T=47.19' C=64.08' CB=N71°27'59"W
- 5 Δ=4°31'41" R=1470.00' L=116.12' T=58.12' C=118.14' CB=N00°51'52"W
- 6 Δ=9°53'38" R=480.00' L=82.89' T=61.55' C=82.76' CB=N43°05'10"W
- 7 Δ=11°48'28" R=420.00' L=86.68' T=43.49' C=86.52' CB=N84°03'05"W
- 8 Δ=4°04'27" R=1030.00' L=73.24' T=36.84' C=73.23' CB=S00°04'12"E
- 9 Δ=32°03'21" R=200.00' L=111.95' T=57.45' C=110.44' CB=N72°00'18"E
- 10 Δ=50°25'29" R=150.00' L=132.01' T=70.82' C=127.79' CB=N18°11'34"E
- 11 Δ=8°14'22" R=3045.51' L=437.88' T=219.36' C=437.59' CB=N28°37'01"W
- 12 Δ=11°17'37" R=570.00' L=112.35' T=56.36' C=112.17' CB=N63°25'58"E
- 13 Δ=8°40'59" R=1204.00' L=140.44' T=70.30' C=140.36' CB=N18°38'08"W
- 14 Δ=139°33'32" R=150.00' L=365.36' T=467.24' C=281.51' CB=S74°41'40"E
- 15 Δ=21°31'08" R=940.00' L=320.37' T=162.16' C=318.43' CB=N81°08'39"E



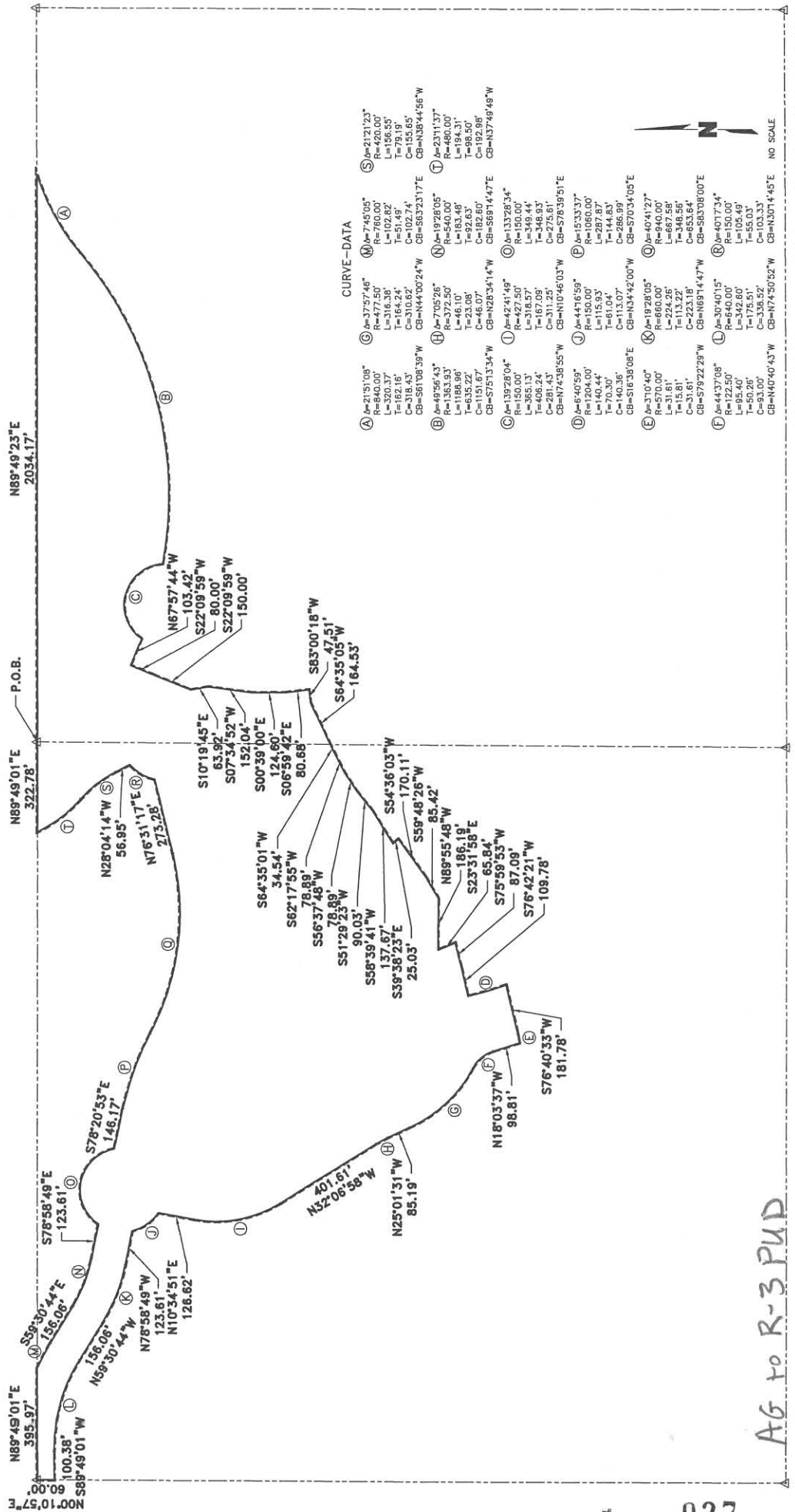
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R-3 to R-3 PUD

LEGAL DESCRIPTION
CHANGE OF ZONE
FROM AG TO R-3 PUD

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF A PORTION OF OUTLOT "B" FALLBROOK 12TH ADDITION, AND A PORTION OF LOT 11 I.T., ALL LOCATED IN THE NORTH HALF OF SECTION 34, TOWNSHIP 11 NORTH, RANGE 6 EAST OF THE 6TH P.M., LANCASTER COUNTY, STATE OF NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID OUTLOT "B", SAID POINT BEING THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 34, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE EAST ALONG THE NORTH LINE OF SAID OUTLOT "B", SAID LINE BEING THE NORTH LINE OF SAID NORTHEAST QUARTER ON AN ASSUMED BEARING OF NORTH 89 DEGREES 49 MINUTES 23 SECONDS EAST, A DISTANCE OF 2,034.17 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 21 DEGREES 51 MINUTES 08 SECONDS, A RADIUS OF 840.00 FEET, A ARC LENGTH OF 320.37 FEET, A CHORD BEARING OF SOUTH 61 DEGREES 08 MINUTES 39 SECONDS WEST, AND A CHORD DISTANCE OF 318.43 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 49 DEGREES 56 MINUTES 43 SECONDS, A RADIUS OF 1,363.93 FEET, A ARC LENGTH OF 1,188.96 FEET, A CHORD BEARING OF SOUTH 75 DEGREES 13 MINUTES 34 SECONDS WEST, AND A CHORD DISTANCE OF 1,151.67 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 139 DEGREES 28 MINUTES 04 SECONDS, A RADIUS OF 150.00 FEET, A ARC LENGTH OF 365.13 FEET, A CHORD BEARING OF NORTH 74 DEGREES 38 MINUTES 55 SECONDS WEST, AND A CHORD DISTANCE OF 281.43 FEET TO A POINT, THENCE NORTH 67 DEGREES 57 MINUTES 44 SECONDS WEST, A DISTANCE OF 103.42 FEET TO A POINT, THENCE SOUTH 22 DEGREES 09 MINUTES 59 SECONDS WEST, A DISTANCE OF 80.00 FEET TO A POINT, THENCE CONTINUE SOUTHERLY ALONG SAID LINE, A DISTANCE OF 150.00 FEET TO A POINT, THENCE SOUTH 10 DEGREES 19 MINUTES 45 SECONDS EAST, A DISTANCE OF 63.92 FEET TO A POINT, THENCE SOUTH 07 DEGREES 34 MINUTES 52 SECONDS WEST, A DISTANCE OF 152.04 FEET TO A POINT, THENCE SOUTH 00 DEGREES 39 MINUTES 00 SECONDS EAST, A DISTANCE OF 124.60 FEET TO A POINT, THENCE SOUTH 06 DEGREES 59 MINUTES 42 SECONDS EAST, A DISTANCE OF 80.68 FEET TO A POINT, THENCE SOUTH 83 DEGREES 00 MINUTES 18 SECONDS WEST, A DISTANCE OF 47.51 FEET TO A POINT, THENCE SOUTH 64 DEGREES 35 MINUTES 05 SECONDS WEST, A DISTANCE OF 164.53 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID NORTHEAST QUARTER, SAID POINT BEING ON THE WEST LINE OF SAID OUTLOT "B", SAID POINT BEING A EAST CORNER OF LOT 11 I.T., THENCE SOUTH 64 DEGREES 35 MINUTES 01 SECONDS WEST ALONG A SOUTHEAST LINE OF SAID LOT 11 I.T., A DISTANCE OF 34.54 FEET TO A POINT, THENCE SOUTH 62 DEGREES 17 MINUTES 55 SECONDS WEST ALONG A SOUTHEAST LINE OF SAID LOT 11 I.T., A DISTANCE OF 78.89 FEET TO A POINT, THENCE SOUTH 56 DEGREES 37 MINUTES 48 SECONDS WEST ALONG A SOUTHEAST LINE OF SAID LOT 11 I.T., A DISTANCE OF 78.89 FEET TO A POINT, THENCE SOUTH 51 DEGREES 29 MINUTES 23 SECONDS WEST ALONG A SOUTHEAST LINE OF SAID LOT 11 I.T., A DISTANCE OF 90.03 FEET TO A POINT, THENCE SOUTH 58 DEGREES 39 MINUTES 41 SECONDS WEST ALONG A SOUTHEAST LINE OF SAID LOT 11 I.T., A DISTANCE OF 137.67 FEET TO A POINT, THENCE SOUTH 39 DEGREES 38 MINUTES 23 SECONDS EAST ALONG A EAST LINE OF SAID LOT 11 I.T., A DISTANCE OF 25.03 FEET TO A POINT, THENCE SOUTH 54 DEGREES 36 MINUTES 03 SECONDS WEST ALONG A SOUTHEAST LINE OF SAID LOT 11 I.T., A DISTANCE OF 170.11 FEET TO A POINT, THENCE SOUTH 59 DEGREES 48 MINUTES 26 SECONDS WEST ALONG A SOUTHEAST LINE OF SAID LOT 11 I.T., A DISTANCE OF 85.42 FEET TO A POINT, THENCE NORTH 89 DEGREES 55 MINUTES 48 SECONDS WEST ALONG A SOUTH LINE OF SAID LOT 11 I.T., A DISTANCE OF 186.19 FEET TO A POINT, THENCE SOUTH 23 DEGREES 31 MINUTES 58 SECONDS EAST ALONG A EAST LINE OF SAID LOT 11 I.T., A DISTANCE OF 65.84 FEET TO A POINT, THENCE SOUTH 75 DEGREES 59 MINUTES 53 SECONDS WEST ALONG A SOUTHEAST LINE OF SAID LOT 11 I.T., A DISTANCE OF 87.09 FEET TO A POINT, THENCE SOUTH 76 DEGREES 42 MINUTES 21 SECONDS WEST ALONG A SOUTHEAST LINE OF SAID LOT 11 I.T., A DISTANCE OF 109.78 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 06 DEGREES 40 MINUTES 59 SECONDS, A RADIUS OF 1,204.00 FEET, A ARC LENGTH OF 140.44 FEET, A CHORD BEARING OF SOUTH 16 DEGREES 38 MINUTES 08 SECONDS EAST ALONG A EAST LINE OF SAID LOT 11 I.T., AND A CHORD DISTANCE OF 140.36 FEET TO A POINT, THENCE SOUTH 76 DEGREES 40 MINUTES 33 SECONDS WEST ALONG A SOUTHEAST LINE OF SAID LOT 11 I.T., A DISTANCE OF 181.78 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 03 DEGREES 10 MINUTES 40 SECONDS, A RADIUS OF 570.00 FEET, A ARC LENGTH OF 31.61 FEET, A CHORD BEARING OF SOUTH 79 DEGREES 22 MINUTES 29 SECONDS WEST ALONG A SOUTHEAST LINE OF SAID LOT 11 I.T., AND A CHORD DISTANCE OF 31.61 FEET TO A POINT, THENCE NORTH 18 DEGREES 03 MINUTES 37 SECONDS WEST, A DISTANCE OF 98.81 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 44 DEGREES 37 MINUTES 08 SECONDS, A RADIUS OF 122.50 FEET, A ARC LENGTH OF 95.40 FEET, A CHORD BEARING OF NORTH 40 DEGREES 40 MINUTES 43 SECONDS WEST, AND A CHORD DISTANCE OF 93.00 FEET TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 37 DEGREES 57 MINUTES 46 SECONDS, A RADIUS OF 477.50 FEET, A ARC LENGTH OF 316.38 FEET, A CHORD BEARING OF NORTH 44 DEGREES 00 MINUTES 24 SECONDS WEST, AND A CHORD DISTANCE OF 310.62 FEET TO A POINT, THENCE NORTH 25 DEGREES 01 MINUTES 31 SECONDS WEST, A DISTANCE OF 85.19 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 07 DEGREES 05 MINUTES 26 SECONDS, A RADIUS OF 372.50 FEET, A ARC LENGTH OF 46.10 FEET, A CHORD BEARING OF NORTH 28 DEGREES 34 MINUTES 14 SECONDS WEST, AND A CHORD DISTANCE OF 46.07 FEET TO A POINT, THENCE NORTH 32 DEGREES 06 MINUTES 58 SECONDS WEST, A DISTANCE OF 401.61 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 42 DEGREES 41 MINUTES 49 SECONDS, A RADIUS OF 427.50 FEET, A ARC LENGTH OF 318.57 FEET, A CHORD BEARING OF NORTH 10 DEGREES 46 MINUTES 03 SECONDS WEST, AND A CHORD DISTANCE OF 311.25 FEET TO A POINT, THENCE NORTH 10 DEGREES 34 MINUTES 51 SECONDS EAST, A DISTANCE OF 126.62 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 44 DEGREES 16 MINUTES 59 SECONDS, A RADIUS OF 150.00 FEET, A ARC LENGTH OF 115.93 FEET, A CHORD BEARING OF NORTH 34 DEGREES 42 MINUTES 00 SECONDS WEST, AND A CHORD DISTANCE OF 113.07 FEET TO A POINT, THENCE NORTH 78 DEGREES 58 MINUTES 49 SECONDS WEST, A DISTANCE OF 123.61 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 19 DEGREES 28 MINUTES 05 SECONDS, A RADIUS OF 660.00 FEET, A ARC LENGTH OF 224.26 FEET, A CHORD BEARING OF NORTH 69 DEGREES 14 MINUTES 47 SECONDS WEST, AND A CHORD DISTANCE OF 223.18 FEET TO A POINT, THENCE NORTH 59 DEGREES 30 MINUTES 44 SECONDS WEST, A DISTANCE OF 156.06 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 30 DEGREES 40 MINUTES 15 SECONDS, A RADIUS OF 640.00 FEET, A ARC LENGTH OF 342.60 FEET, A CHORD BEARING OF NORTH 74 DEGREES 50 MINUTES 52 SECONDS WEST, AND A CHORD DISTANCE OF 338.52 FEET TO A POINT, THENCE SOUTH 89 DEGREES 49 MINUTES 01 SECONDS WEST ALONG A LINE 60.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF LOT 11 I.T., SAID LINE BEING THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 34, A DISTANCE OF 100.38 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID LOT 11 I.T., THENCE NORTH 00 DEGREES 10 MINUTES 57 SECONDS EAST ALONG THE WEST LINE OF SAID LOT 11 I.T., SAID LINE BEING THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 60.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 11 I.T., SAID POINT BEING THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER, THENCE NORTH 89 DEGREES 49 MINUTES 01 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 11 I.T., SAID LINE BEING THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 395.97 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 07 DEGREES 45 MINUTES 05 SECONDS, A RADIUS OF 760.00 FEET, A ARC LENGTH OF 102.82 FEET, A CHORD BEARING OF SOUTH 63 DEGREES 23 MINUTES 17 SECONDS EAST, AND A CHORD DISTANCE OF 102.74 FEET TO A POINT, THENCE SOUTH 59 DEGREES 30 MINUTES 44 SECONDS EAST, A DISTANCE OF 156.06 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 19 DEGREES 28 MINUTES 05 SECONDS, A RADIUS OF 540.00 FEET, A ARC LENGTH OF 183.48 FEET, A CHORD BEARING OF SOUTH 69 DEGREES 14 MINUTES 47 SECONDS EAST, AND A CHORD DISTANCE OF 182.60 FEET TO A POINT, THENCE SOUTH 78 DEGREES 58 MINUTES 49 SECONDS EAST, A DISTANCE OF 123.61 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 133 DEGREES 28 MINUTES 34 SECONDS, A RADIUS OF 150.00 FEET, A ARC LENGTH OF 349.44 FEET, A CHORD BEARING OF SOUTH 78 DEGREES 39 MINUTES 51 SECONDS EAST, AND A CHORD DISTANCE OF 275.61 FEET TO A POINT, THENCE SOUTH 78 DEGREES 20 MINUTES 53 SECONDS EAST, A DISTANCE OF 146.17 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 15 DEGREES 33 MINUTES 37 SECONDS, A RADIUS OF 1,060.00 FEET, A ARC LENGTH OF 287.87 FEET, A CHORD BEARING OF SOUTH 70 DEGREES 34 MINUTES 05 SECONDS EAST, AND A CHORD DISTANCE OF 286.99 FEET TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 40 DEGREES 41 MINUTES 27 SECONDS, A RADIUS OF 940.00 FEET, A ARC LENGTH OF 667.58 FEET, A CHORD BEARING OF SOUTH 83 DEGREES 08 MINUTES 00 SECONDS EAST, AND A CHORD DISTANCE OF 653.64 FEET TO A POINT, THENCE NORTH 76 DEGREES 31 MINUTES 17 SECONDS EAST, A DISTANCE OF 273.28 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 40 DEGREES 17 MINUTES 34 SECONDS, A RADIUS OF 150.00 FEET, A ARC LENGTH OF 105.49 FEET, A CHORD BEARING OF NORTH 30 DEGREES 14 MINUTES 45 SECONDS EAST, AND A CHORD DISTANCE OF 103.33 FEET TO A POINT, THENCE NORTH 28 DEGREES 04 MINUTES 14 SECONDS WEST, A DISTANCE OF 56.95 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 21 DEGREES 21 MINUTES 23 SECONDS, A RADIUS OF 420.00 FEET, A ARC LENGTH OF 156.55 FEET, A CHORD BEARING OF NORTH 38 DEGREES 44 MINUTES 56 SECONDS WEST, AND A CHORD DISTANCE OF 155.65 FEET TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 23 DEGREES 11 MINUTES 37 SECONDS, A RADIUS OF 480.00 FEET, A ARC LENGTH OF 194.31 FEET, A CHORD BEARING OF NORTH 37 DEGREES 49 MINUTES 49 SECONDS WEST, AND A CHORD DISTANCE OF 192.98 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF SAID LOT 11 I.T., THENCE NORTH 89 DEGREES 49 MINUTES 01 SECONDS EAST ALONG NORTH LINE OF SAID LOT 11 I.T., SAID LINE BEING A NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 322.78 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 2,585,222.2160 SQUARE FEET OR 59.3485 ACRES, MORE OR LESS.



AG to R-3 PUD

FALLBROOK P.U.D. GENERAL NOTES

1. Any building outline shown on the PUD Master Plan is illustrative only. Fences, trash enclosures, decorative structures and accessory buildings are not shown. Buildings may be located anywhere on the lot subject to setback limitations.
2. Setbacks within the PUD area may be adjusted by the Planning Director.
3. Any lots shown on the PUD Master Plan are illustrative only. Lot configurations shall be defined by Approved Final Plat.
4. Lots may be created without frontage to a public street if they have access to a public or common access easement.
5. Lots may be created with non-perpendicular lot corners.
6. All residential units abutting alleys must take access from the alley and relinquish vehicular access to the adjoining public street.
7. Alleys shall be 15.5' wide, constructed of 6" asphalt within a 16' wide outlot with a common access easement and 20' radius returns.
8. Direct vehicular access to Highway 34, North 1st Street and Alvo Road is relinquished except as shown.
9. The right and left-in/right-out intersection from North 1st Street to Lot 51, Block 29 approximately 602' south of the intersection of Pennsylvania Avenue and North 1st Streets will be non-signalized. The owner and future owners of Lot 51, Block 29 agree to close the left turning access in the median in the event three left turn related accidents are reported during a twelve month period or a total of five left turn related accidents reported in any 24 month period, if so directed by Executive Order from the Mayor of the City of Lincoln.
10. A Homeowners and/or Property Owners Association shall be responsible for maintenance of all common areas and outlots including the boulevard medians and traffic circles within the public streets.
11. The construction of accessory buildings in the common open space is permitted.
12. Landscape plans shall be submitted with Building Permit applications for all commercial structures and shall comply with City of Lincoln standards.
13. Details of all signs, including type, height and size, shall be submitted separately for review with the Building Permit in accordance with the City of Lincoln

standards, which may be amended by the Planning Director.

14. Signs including "Fallbrook", the Fallbrook Logo and identification/directional signs for "Village Center", "Village Center Shops", "Shops", "Urgent Care Center", "Offices", "Corporate Campuses", "name School", "YMCA", "Park", "Trailhead", or other similar features of the Fallbrook community, are permitted anywhere within the PUD area. Such signs must be located on low walls or monument type structures. In the Office Area near the corner of North 1st Street and Highway 34, a wall or monument is permitted that shall not exceed 16' in height and 700 square feet in face area. In addition, a lighted ornamental spire, tower, flagpole or other similar vertical element not to exceed 40' in height may be incorporated into the design of the wall or monument. At any other location, such walls or monuments shall not exceed 5 feet in height, shall not exceed 100 square feet in face area and shall be located out of sight triangles. The aggregate area of any and all signs on a single wall shall not exceed 30% of the face area of the wall and may be lighted.
15. Any relocation of existing facilities shall be at the Owner/Developer's expense.
16. The developer shall construct a public trail system throughout the PUD and any extensions thereof. The public trail system shall be as generally shown on the PUD Master Plan with variations as approved by the Director of Parks and Recreation and Public Works and Utilities. The public trail shall be 10' wide concrete except where it is located in open space outlots it may be constructed of other materials as approved by the Director of Parks and Recreation and Public Works and Utilities. There shall be a minimum 20' wide public access easement over the public trail. (Refer to the Annexation Agreement regarding charitable contribution associated with the public trail system)
17. Within two years of Final Plat approval, the developer shall construct a "pocket park" on one lot in the Single Family / Type 3 area and one lot in the Single Family / Type 1 or Single Family / Type 2 area. Upon completion and acceptance of the improvements by the City of Lincoln Parks & Recreation Department, the lots and the improvements thereon shall be dedicated to the City of Lincoln without encumbrance. The preliminary location of the pocket parks is shown on the PUD Master Plan but may be relocated with approval of the Planning Director and the Director of Parks & Recreation.
18. Users in the Village Center area shall not have access to the alley outlots adjacent on the north that serve the residences facing Blue Sage Boulevard.
19. The Village Center may contain up to 50 Attached Dwellings in buildings containing more than three units.
20. The Village Center may contain up to 60 Dwellings located above the first floor of a building containing another permitted use.

21. The total collective floor area of non-residential uses in the Village Center and Office Areas shall not exceed 680,000 s.f. The total floor area is allocated to the various lots as shown in Table A. Areas may be reallocated between the lots and specified uses, and the 60,000 s.f. Flex Area may be allocated to specific lots; only when requested in writing by the Developer and approved by the Planning Director.

Table A: Non-Residential Floor Area Allocations

Lot	Owner at PUD Filing (1)	Zoning	Use	Original Allocation Office	Original Allocation Retail	Allocation of 60,000 Flex Area	Current Allocation
All Commercial Areas				500,000	120,000	60,000	680,000
Sub-allocations by Lot							
Lot 6, Blk 29	FCSA	O-3	Office	13,000	0	0	13,000
Lot 1, Blk 29	BryanLGH	O-3	Medical Office	67,000	0	5,500	72,500
Lot 49, Blk 29	Ameritas	O-3	Office	125,000	0	0	125,000
Lot 51, Blk 29	Nebco	O-3	Office	210,000	0	0	210,000
Lot 50, Blk 29	Nebco	O-3	Office	25,000	0	10,000	35,000
Lots 2-5 & 7-48, Blk 29	Nebco	B-2	Village Center	60,000	120,000	0	180,000
Lot 1, Blk 23	Nebco	B-2					
Lot 1, Blk 24	Nebco	B-2					
Lot 1, Blk 25	Nebco	B-2					
Current Allocation Total							635,500
60,000 Flex Office Area Remaining as Unallocated							44,500
Check Total							680,000
Village Center Sub-allocations			Grocery		20,000		
			Drug		6,000		
			Restaurant / Bar		12,000		
			Day Care		6,000		
			General Retail		60,000		
			Office		12,000		
			Medical / Dental		4,000		
			Total		120,000		

Note (1) "Owner at PUD Filing" included as reference only